



Development Briefs and Design Statements

Planning Policy Advice
June 2017
(original approval October 2014)

Planning in Orkney

Status of this Guidance

The main planning document in Orkney is the **Orkney Local Development Plan** (the plan), which provides the policy framework and land allocations for dealing with planning applications efficiently and with certainty. All decisions on planning applications require that an appropriate balance is struck between the relevant development plan policies and other material considerations.

Supplementary Guidance is produced for given policy areas and subjects where a specific requirement is highlighted within the plan. It is the purpose of supplementary guidance to provide further information, policy and advice on complex planning matters and seeks to expand upon the core policies or land allocations in the plan. Supplementary guidance is always subject to full public consultation and is submitted to the Scottish Government prior to adoption. Once adopted, supplementary guidance has statutory weight in the determination of planning applications and forms part of the plan.

Planning Policy Advice (PPA) is prepared to provide further information and advice on policies and issues where a specific requirement to produce supplementary guidance has not been set out within the plan. Many Development Briefs for land allocations are set at this level, along with the majority of advice and information that is prepared for members of the public and Development Management. PPA is always subject to full public consultation and council approval prior to adoption and publication. Once adopted, PPA is a material planning consideration although it does not bear the same weight as the plan itself.

Development Management Guidance (DMG) is produced to provide advice on technical issues and the interpretation of given policies where a need arises. It is the intention of DMG to ensure a consistency of approach and to highlight the original intention/spirit of a policy where there is any ambiguity. DMG is also produced for less-complex land allocations to ensure a co-ordinated approach to development can be achieved - Conservation Area Appraisals and Conservation Statements are also set at this level within Orkney. Whilst DMG is not subject to public consultation, it is approved by Council prior to adoption and publication. As such, DMG is a material consideration in the determination of planning applications, which is considered to be the standing advice of the Local Planning Authority.

Contacting the Council

Should you wish to discuss any aspect of this Planning Policy Advice, an Officer from Development Management will be available from 09:00 to 17:00, Monday to Friday to meet at the OIC Customer Services in Kirkwall or via telephone 01865873535.

www.orkney.gov.uk

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Introduction

1.1 Background

Alongside the Orkney Local Development Plan 2017 sits the Supplementary Guidance: Settlement Statements (approved in April 2017). This guidance details the land allocations for each settlement, including those areas designated for business and industrial use and for immediate and long-term housing supply.

On occasion the need for a Development Brief is identified within a Settlement Statement relating to a particular land allocation and this document provides clarity regarding the level of information required and at what status the brief must be set at (i.e. Site Development Statement; Development Management Guidance; Planning Policy Advice; or Supplementary Guidance), in accordance the OLDP.

A Development Brief or Masterplan will not remove the need for the developer to contact Scottish Water to arrange the approval of their water or wastewater connection. Scottish Water welcome early engagement and advise that developers should submit a Pre Development Enquiry Form and the necessary connection application forms at the earliest opportunity (found at www.scottishwater.co.uk).

2. Strategy

2.1 Design Statements for Individual Buildings

Planning applications for new buildings should normally be supported by a Design Statement.

A Design Statement should be a concise report which illustrates the process that has led to the proposal and explains it in a structured way. The Statement will seek to justify the key elements of your proposal in relation to evidence that you understand and have taken into account in the specific context of your chosen site. Further information can be found in Section 5 of this document and a Design Statement Template can be found at Appendix 1.

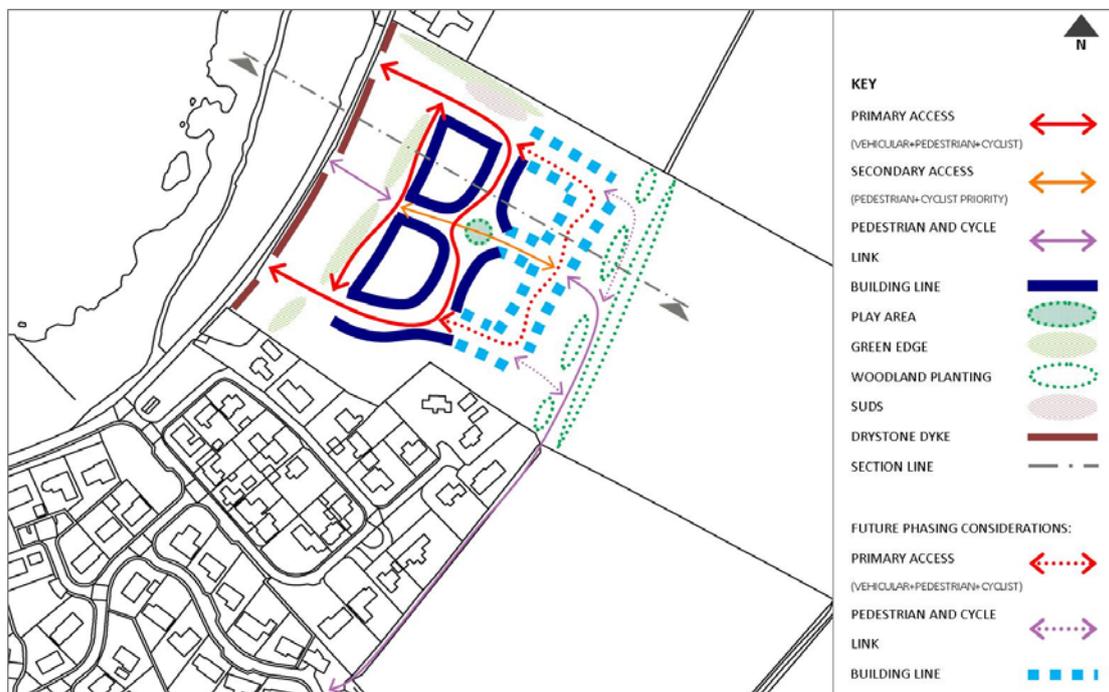


2.2 Site Development Statements

In most cases where a site is in single ownership and is allocated for short-term housing, it will not be necessary for a Development Brief to be produced that requires a period of public consultation and formal adoption as Planning Policy Advice or Supplementary Guidance. Where an area is allocated for housing within the OLDP, it will usually be acceptable for the owner of the land to submit a full planning application for the creation of access and serviced sites, or an application for Planning Permission in Principle, which covers the entire allocation providing it is supported by a Site Development Statement and a plan detailing an indicative layout of plots and associated infrastructure. Information on how to prepare a Site Development Statement is provided within Section 4 of this document.

Where a Development Management Officer determines that further information is required regarding certain issues to provide a solution to identified problems or constraints, the requested information must be provided in advance of any decision being made. In all cases, a planning application must relate to the whole site in order that it may be developed in a co-ordinated manner and to ensure that the piecemeal development of land is avoided.

It is important that landowners engage in pre-application discussions with Development Management in advance of any planning application being submitted to ensure that they are fully aware of any known constraints to developing the land.



Proposed Layout Plan showing development phases outlining access and linkages

Where a Settlement Statement identifies the potential for ten or more houses on a given site and it is concluded by Development Management that

constraints are present that cannot be overcome through the submission of a Site Development Statement, or by attaching conditions/matters specified by conditions on any planning consent, then it will be necessary for a Development Brief to be prepared for the site. Such constraints include, but are not limited to those allocations;

- with an identified risk of flooding across a significant element of the site;
- that have potential to have significant impact on key elements of built or natural heritage; or
- with challenging geology or topography

2.3 Development Briefs

There will be occasions where a Development Brief will require to be prepared for submission with the planning application for the development site, as identified within the relevant Settlement Statement, details of which are outlined below:

- a) sites in multiple ownership;
- b) sites of a strategic nature in Kirkwall or Stromness, in prominent townscape locations or within Village Centre Improvement Areas;
- c) complex non-residential or mixed-use sites; or
- d) more complex sites of ten or more houses where pre-planning advice has confirmed that there are constraints on the site that cannot be overcome through the Site Development Statement process or through the inclusion of conditions/matters specified by condition.

Where a site does not fall within any of the categories above, a Site Development Statement, accompanied by a Layout Plan that considers plot arrangement, infrastructure and vehicular, cycle and pedestrian access throughout the entire site, will provide sufficient supporting information in order that an application may be determined.

Details of what information should be included within a Development Brief can be found within Section 4 of this document.

2.4 Masterplans

Masterplans will generally consider a wider area than a standard Development Brief and will often include multiple sites/allocations, mixed use areas, public realm improvements and upgrades to existing infrastructure.

Masterplans may be prepared for industrial estates, settlements or entire parishes and the specific content will vary, being largely driven by the nature of the area in question. The complex nature of Masterplans requires that they are always subject to increased levels of stakeholder engagement and full public consultation in advance of their adoption.

3. Status

3.1 Site Development Statements

All applicants, including developers, architects, designers and agents, should consider design as an integral part of the development process. The production of a Site Development Statement encourages more attention to be given to the design of developments and ensures that the development of a site can be achieved successfully in a co-ordinated manner.

Although the production of the Statement does involve additional work to present the ideas and thinking of the applicant, in many cases it can be achieved simply and should not be perceived as an onerous task. By documenting design principles and design concepts, applicants will benefit from a greater degree of certainty in the planning process and quicker decision making. The result should be improved quality of new development, lasting improvements to the built environment and the creation of successful places.

A Site Development Statement is prepared by the applicant in support of their application for planning permission. It must address any identified constraints on the site and demonstrate through the associated Site Layout Plan how these factors have been considered. Information on how to prepare a Site Development Statement is provided within Section 4 of this document.

There is no requirement for a Site Development Statement to be presented to Elected Members or for it to be consulted upon as an independent document. As such, it has no formal status as a policy document. However, it will inform the future development of the wider site.

The Statement will be considered by the Development Management Officer as they assess the application and will be published along with other supporting information for members of the public and consultees to consider during the planning application consultation period.

3.2 Development Briefs

Where a Development Brief is required, it must be submitted in advance of any application for planning permission being submitted for a site. It is necessary that Development Briefs be approved by Elected Members in order that they may become a material consideration in the determination of subsequent planning applications.

Development Briefs may be prepared by an applicant or their agent in consultation with OIC's Development and Marine Planning team or, where resources permit, solely by Development and Marine Planning. Development Briefs may be set at different levels, depending upon the complexity of the site:

i) Development Management Guidance

Where there is an identified demand to deliver development on a site for which a Development Brief is required, and where there are no perceived contentious issues and there are no complex constraints known, a Development Brief may be adopted as Development Management Guidance.

Development Management Guidance is generally prepared by Development and Marine Planning to provide a policy interpretation or solution to a given issue. In terms of a Development Brief, the draft document will be prepared by the applicant or, where resources allow, by Development and Marine Planning. The Brief will consider all known constraints on the site and will provide a solution to developing the site in its entirety. Further information on how to prepare Development Briefs and their required content is provided at Section 4 of this document.

When Development and Marine Planning are satisfied that the draft Development Brief accords with relevant OLDP policies and provides a satisfactory solution to developing the land, it will be presented to the relevant Committee for approval. Once any decision to approve the document has been ratified by Full Council, it will be formally adopted as Development Management Guidance and will be a material consideration in the determination of subsequent relevant planning applications for the site.

ii) Planning Policy Advice

Where a draft Development Brief relates to a site with more complex or contentious issues and constraints, or where it relates to non-residential development, it may be progressed as Planning Policy Advice.

Planning Policy Advice is prepared in the same manner as Development Management Guidance and is also subject to public and key agency consultation. All material planning issues raised during the consultation period will be considered by Development and Marine Planning and will be addressed within a Consultation Report. The Consultation Report will detail all amendments made to the draft brief as a result of representations received and will provide details as to why other suggestions have not resulted in changes to the draft Brief.

Planning Policy Advice has greater material weight in the determination of planning applications than Development Management Guidance as it has been subject to public consultation.

iii) Supplementary Guidance

Once adopted by the Council as Planning Policy Advice, a Development Brief may be notified to the Scottish Government in order that it can become statutory Supplementary Guidance, which has equal material weight as the OLDP in the determination of planning applications.

Providing no objections are received from Government within the 28 day notification period, the Brief will become Supplementary Guidance. It is

anticipated that only the most complex Development Briefs will need to be set as Supplementary Guidance.

4. Information to be considered in a Development Brief or Site Development Statement

Below is an outline of the general information that should be considered in the production of a Site Development Statement or a Development Brief, although much of the information may not be relevant to a particular site. The Statement/Brief should address any identified constraints on the site and demonstrate through the associated Site Organisation Plan, informed where necessary by supporting assessments such as a Flood Risk Assessment or Drainage Impact Assessment, how these factors have been considered and how the site accords with national and local policies. It may be a more manageable process if the Statement/Brief is organised using the headings outlined below:

Irrespective of the scale of development, the site development statement/Development Brief must be supported by good graphics. Illustrations must be easy to interpret and relate clearly to the text. They can consist of a mixture of photographs, sketches, figure/ground diagrams, photomontages, concept diagrams, computer-based images and artists' impressions. The applicant may also submit models or photographs of models to illustrate certain aspects of the design. The aim is to explain the design approach, not to duplicate submitted copies of the drawings accompanying the application. The scale and format of the images will often depend on the required level of detail.

Context of the proposal

Site description

- General description of the surroundings, e.g. urban, residential and industrial.
- Is the site in or near a conservation area?
- Is the site in a National Scenic Area or Local Landscape Area?
- Can the development integrate with and/or enhance the surrounding green networks or habitat corridors?
- Natural heritage conservation – could development of the site affect a site that is designated for its natural heritage value?

- Is there potential for any species which are legally protected to be affected by the development? Examples include otters or bats; these are European Protected Species and are afforded a strict level of legal protection.
- Is there potential for the development to affect a water course? If so it will be necessary to identify an appropriate buffer zone in the Brief.
- Planning history.
- Ownership of the site.
- Adjacent land uses, and relevant planning proposals.
- Is an element of the site known to be contaminated and, if so, how will this be addressed?
- Cultural heritage conservation – is the development likely to affect any listed buildings, or Scheduled Ancient Monument, and their settings?
- Focal points.
- Landmarks.
- Vistas.
- Views to/from/over site.
- Topography – contours on the site.
- Is any part of the site at risk of flooding – could development of the site increase flood risk elsewhere?
- Is any part of the site at risk of coastal erosion?
- Are any engineering works, for example watercourse crossings, proposed in the water environment?
- Microclimate – wind, sun orientation, exposure, shelter – are there opportunities to take advantage of natural shelter or to maximise solar gain, e.g. through the orientation of buildings?

Services

- Public utilities, e.g. underground services, drainage systems, overhead power lines
- Network capacity and developer contributions
- If connection to the public sewer is not possible, identify the proposed waste water arrangements.
- Public services available locally, e.g. schools, public transport
- Provision of surface water drainage using sustainable drainage systems (SuDS)
- If connection to the public sewer is shown not to be possible, identify the proposed waste water arrangements which are environmentally acceptable and comply with local policy.

Identity

Surrounding buildings:

Building lines – groupings, pattern and plot sizes

- Entrances – styles and sizes
- Windows – styles and sizes
- Active frontages
- Scale – height and massing

- Appearance – details and materials
- Local settlement pattern
- Could the development affect any Rights of Way, Core Path or other important access routes and can the development link into and enhance these routes?

Use of the space

- Use of spaces between buildings – public/private
- Can any SUDS provision be utilised to enhance amenity and improve the sense of place?
- Incorporate space for waste and recycle bins
- Details of Open Space designations within the proposed development site and within the surrounding area.
- Day, night, seasonal variation of use
- Prohibited activities, security arrangements

Hard landscaping

- Location of street furniture
- Condition and maintenance
- Proposed hard landscaping – materials, colour etc
- How people use it
- Public art/sculpture trail
- Are there opportunities to re-use existing buildings, e.g. for stone walls?

Soft landscaping

- Landscape character
- Trees
- Quality of landscaping
- Details of existing trees, shrubs etc.
- Need for ground modelling
- Are there existing (LBAP) wildlife habitats on site which should be retained or are there opportunities for biodiversity enhancement?
- Tree Preservation Orders
- Play space/recreational space

Connections

Vehicular movement

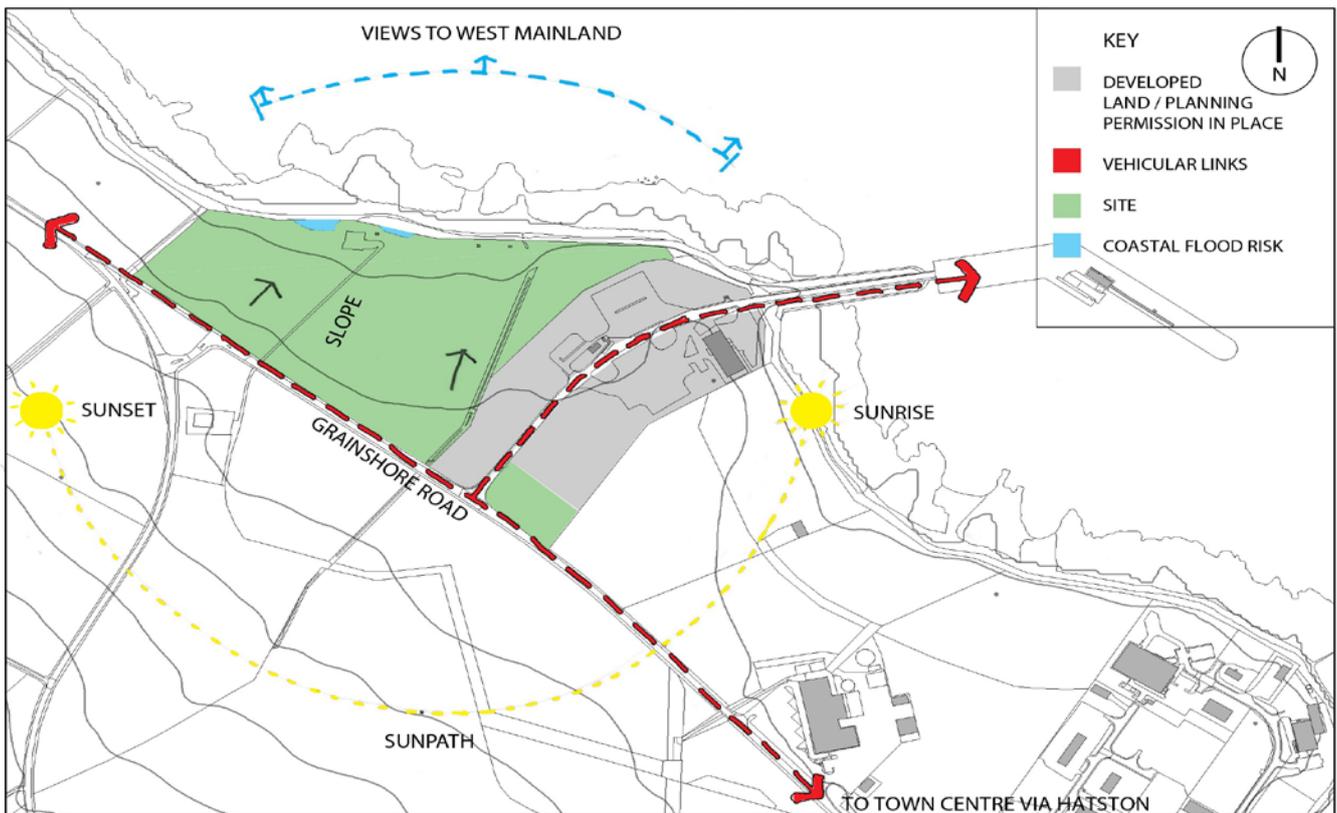
- Surrounding road and street layout
- Type of road management e.g. shared surfaces, roads and footways, etc
- Is there a need for a traffic impact assessment?
- Access, parking and circulation
- Bus stops and routes, taxi stops, cycle routes
- Areas of vehicular/pedestrian conflict
- Use of traffic measures – is there scope for additional road safety measures?

- Servicing arrangements, e.g. waste collection

Pedestrian access

- Where are people coming from, going to?
- Desire lines
- Disabled access
- Are people restricted from access due to any current aspects of design?

An example of a site analysis showing potential constraints and topography of the land.



Further information can be found within: Planning Advice Note 68 – Design Statements

5. Preparing Design Statements for Individual Buildings

A design statement can be prepared for large and small scale developments. As for every development, the applicant should consider and set out the design principles which determine the design and layout of the development proposal. This should be done as early as possible. A design statement enables the applicant to explain why the selected design solution is the most suitable in the circumstances -in terms of the building(s) and the quality of spaces created.

A design statement can be presented in various formats. It can be on one or two pages, in a small booklet, an A4 or A3 document, a fold-out sheet, a display board or a CD ROM. The approach used will be influenced by the scale, nature and potential sensitivity of the site and of the proposed development.

The Design Process

Stage 1 - Site and area appraisal and analysis

The first step in the design process is to carry out a site and area appraisal. This involves a desk survey combined with observations made on site - during the day and in the evening. For example, the use of certain spaces, access to pedestrian routes and the impact of lighting will vary depending on the time of day. The main aim is to examine the site in its immediate and wider context, to assess its current identity, and to identify potential connections.

When sufficient information has been collected, the findings can be analysed. This will involve looking at the opportunities and constraints of the site. Examples of constraints may include the retention of important views, features worthy of retention or protection, landform, watercourses etc and any other features which may affect proposals.

Opportunities may include views and sympathetic relationships with or contributions to defined characteristics of the built environment.

Stage 2 - Identifying Design Principles

The second step is to identify the established design principles. Design principles are not just a list of preferences but a framework of ideas from which the design will be developed. Design principles will vary in number and complexity from one proposal to another, but whatever the final design, it should relate and respond positively to the principles.

These principles can be drawn from government policy and any local design principles or guidance set out in the development plan or supplementary guidance. In addition, site specific principles, such as through an adopted

development brief or masterplan, may exist and these should also be used to inform the development proposal.

Stage 3 - Developing the Design Concept

The third stage is to combine the site investigation, design principles and analysis to produce a design concept. The concept should show how the applicant has understood, embraced and interpreted the site in its context - all in the light of relevant policies. If more than one design option has been drawn up, the applicant may wish to present and discuss these options with Development Management in advance of submitting a planning application.

Stage 4 - The Design Solution

The last stage involves deciding on the best solution and drawing it up in detail. If the applicant has followed all the stages, the subsequent process of producing a design statement should be relatively straightforward.

Preparing a Design Statement

Once the design process has concluded and a solution has been identified, it is necessary to demonstrate why the chosen development proposal is suitable for the application site. A design statement allows applicants to explain the design of their scheme in a structured way. It is an opportunity to demonstrate what has been done to appraise the context, and how the design takes account of it sensitively.

Examples of the issues considered through the design process are outlined in the Site Appraisal Table and relate closely to the analysis of any site in relation to its context. The list is therefore very similar to that to be considered in relation to the preparation of Development Briefs or Site Development Statements.

Site Appraisal Table for Design Statements

<u>Context</u>	
Local area	<ul style="list-style-type: none"> • Location of the site. • General description of the surroundings, e.g. urban, residential and industrial. • Is the site in or near a conservation area?
Site description	<ul style="list-style-type: none"> • Planning history. • Ownership of the site. • Adjacent land uses, and relevant planning proposals. • Heritage conservation - listed buildings. • Focal points. • Landmarks. • Vistas. • Views to/from/over site. • Topography - contours on the site. • Microclimate - wind, sun orientation, exposure, shelter.
Services	<ul style="list-style-type: none"> • Public utilities, e.g. underground services, drainage systems, overhead power lines. • Public services available locally, e.g. schools, public transport.
<u>Identity</u>	
Surrounding buildings	<ul style="list-style-type: none"> • Building lines - groupings, rhythms and plot/feu sizes. • Entrances - styles and sizes. • Windows - styles and sizes. • Active frontages. • Scale - height and massing. • Appearance - details and materials.
Use of the space	<ul style="list-style-type: none"> • Use of spaces between buildings - public/private. • Day, night, seasonal variation of use. • Prohibited activities, security arrangements.

Hard landscaping	<ul style="list-style-type: none"> • Location of street furniture. • Condition and maintenance. • How people use it. • Public art/sculpture trail.
Soft landscaping	<ul style="list-style-type: none"> • Landscape character. • Quality of landscaping. • Need for ground modelling. • Nature conservation area. • Wildlife habitats. • Tree Preservation Orders. • Play space/recreational space.
<u>Connection</u>	
Vehicular movement	<ul style="list-style-type: none"> • Surrounding road and street layout. • Access, parking and circulation. • Bus & tram stops and routes, taxi stops, cycle routes. • Areas of vehicular/pedestrian conflict. • Use of traffic measures, e.g. speed humps, surfaces, crossing points, bollards. • Servicing arrangements.
Pedestrian access	<ul style="list-style-type: none"> • Where are people coming from, going to? • Desire lines. • Disabled access. • Are people restricted from access due to any current aspects of design?

The applicant should choose the most effective form of presentation, as the contents of a design statement will vary according to the nature of the development and the site's characteristics. For most applications, the design statement need not be elaborate. It can be a short document (one or two pages), which sets out the principles on which the development is based and explains the design solution. Irrespective of the scale of development, the design statement must be supported by good graphics.

The main issues which need to be covered in a Design Statement include background information, a brief description of the site's details and its area appraisal, the relevant design principles, any reference to public involvement

or programming and an explanation of why the design solution was chosen. An example template for a Design Statement is included at Appendix 1.

Illustrations must be easy to interpret and relate clearly to the text. They can consist of a mixture of photographs, sketches, figure/ground diagrams, photomontages, concept diagrams, computer-based images and artists' impressions. The applicant may also submit models or photographs of models to illustrate certain aspects of the design. The aim is to explain the design approach, not to duplicate submitted copies of the drawings accompanying the application. The scale and format of the images will often depend on the required level of detail.

Appendix 1

Example Design Statement Template

Background information	<ul style="list-style-type: none"> • Name of the scheme. • Applicant. • Architect/developer/agents/advisors, etc. • Description of client brief (if there is one). • Date.
Site details	<ul style="list-style-type: none"> • Location and site plan - scale and north point. • Description. • History. • Ownership.
Site and area appraisals	<ul style="list-style-type: none"> • Any specific points relating to the contents of the • Site Appraisal Table: <ul style="list-style-type: none"> ○ Context. ○ Identity. ○ Connection.
Design principles	<ul style="list-style-type: none"> • National guidance. • Local authority development plan design policies. • Supplementary guidance. • Site specific development briefs or Masterplan. • Design guides.
Public involvement	Outcome of any consultation and public involvement (where relevant).
Programme	How will the project be phased?
Design solution	<p>Explanation of the proposed development with respect to:</p> <p>Layout: context. streets and spaces. accessibility. safety and security. sustainability. energy efficiency.</p> <p>Landscape. Scale and mix. Details and materials. Maintenance.</p>