



**Orkney Islands Council
Netherton Road Stromness Development Brief (March 2011)**

Participation Statement & Consultation Report

15 March 2011

1) Introduction

Orkney Islands Council published a draft consultation paper titled “Netherton Road Stromness– Draft Development Brief” on the 31 January 2011.

Interested parties, key agencies and neighbouring landowners, tenants and lessees were invited to comment on this draft of the document from the 31 January 2011 until the 14 March 2011.

2) Consultation Methods

1) Public advertisement

- An official advertisement was placed in the Orcadian on the 3rd February 2011 detailing the consultation, the consultation dates, the location of copies of the Draft Development Brief and how members of the public could comment.
- A Press Release was issued on 31 January 2011 to the press and all OIC staff members.
- A Neighbour Notification exercise was completed where all neighbours (owners, occupiers and lessees) that shared a boundary with the site or are located with a 20 metres boundary were informed in writing of the consultation. This was sent out on the 28th January 2011.
- All key agencies (e.g. SEPA, Scottish Water, Road Services) and stakeholders in the site (NHS Orkney, Housing Division, Orkney Housing Association Limited, Education and Leisure Services) were written too or emailed about the consultation on the 28th January 2011.
- AA Notice was placed on the Pier Head notice board on 31 January 2011.

2) Public display of documents

Documents were made available in the Stromness Library and One Stop Shop Kirkwall.

3) Letters to key agencies

Letters were sent to all key agencies on 28 January 2011.

3) Consultation Results

The written representations to this consultation are recorded in the attached Consultation Report at appendix 1. In all 12 comments were received by Development Planning and Regeneration.

Key issues raised include:

- The majority of consultees made comment on flood risk issues associated with the site and downstream
- General support for proposal to de-culvert Burn although some comments requesting further detail on how this will be achieved
- Several consultees commented that density and height of buildings which would be allowed was perhaps too great for the site
- Recognition of the importance of developing the site to provide new housing opportunities in Stromness
- Comment on the layout of building – important to address road line and present active front to public space and roads
- Some detailed comments on road infrastructure issues including need to address pedestrian infrastructure on Netherton Road
- Some confusion regarding the interpretation of the strategy diagram in terms of building lines
- Comment that too many pedestrian linkages proposed on site
- Comment that site in this area should not be developed or should be lower density development.

The revised draft introduces the following key changes to the original draft:-

- Revised pedestrian network including removal of southern most route
- Further clarification on the need for Sustainable Urban Drainage Systems and on site drainage attenuation to establish appropriate water management system
- Revised Strategy Diagram identifies build zones rather than lines and highlights de-culverted burn more clearly as part of public realm/open space network
- New section sketch added to demonstrate suitability of proposed density and height of buildings in relation to neighbouring context

4) Conclusion

Full details for the reasoning behind these proposals are included in the Consultation Report at Appendix 1.

Orkney Islands Council

Netherton Road Stromness Participation Statement and Consultation Report

Consultation Period: 31 January 2011 to 14 March 2011

<u>Consultee Type</u>	<u>Consultee Number</u>	<u>Comment Number</u>	<u>Comments</u>	<u>Response from Planning Authority</u>
KA	10	1.	The section on drainage services is unclear as to whether the comments relate to surface water drainage or foul water drainage or both. This needs to be clarified.	Brief to be revised to clearly identify between surface water and foul water drainage services.
		2	It is not clear from the Strategy Diagram where any communal SUDS could be located and SEPA suggest that the Diagram makes this clear.	Strategy Diagram to be revised to clearly identify communal SUDS locations.
		3	We welcome the highlighting of the opportunity to open the culvert which runs along the north site boundary. However, we request a strengthening of this statement to ensure that it is carried out. We suggest "The opportunity <i>should be taken</i> to open the culvert..." We also ask that the Strategy Diagram clearly shows the watercourse as un-culverted	Statement to be strengthened regarding the opportunity to open the culvert to ensure that it is carried out. Strategy Diagram revised to clearly show watercourse as un-culverted.
		4	We support the inclusion of a specific design criterion for water resource management	Noted.
		5	We recommend that it be made explicitly clear that surface water should be treated via SUDS	Document to be revised to ensure that it is clearly noted that surface water is treated via SUDS and that an appropriate system should be designed to cope with potential flood events.
		6	In relation to the quantitative aspect of SUDS we presume your flood prevention authority colleagues have outlined their requirements. From a treatment perspective we would expect the SUDS to be designed to meet the requirements outlined in The SUDS Manual.	Document will include a paragraph which clearly notes that SUDS is designed to meet the requirements outlined in The SUDS Manual.
		7	As there is a combined public surface and foul drainage system in this area the outfall from the SUDS should preferably go to a local watercourse rather than to the combined system. This then leaves space for other foul drainage connections	Document to be revised to include a clear indication that the fall out from the SUDS should go to a local water course rather than to the combined system.
		8	We request that this section be revised to make it explicitly clear that foul drainage connects to the public sewer	Document to be revised to ensure foul drainage connects to the public sewer.
OICC	7	1	There seems to be an opportunity to include colour in the final coat of the housing. Leslie Burgher has mentioned the	Points noted. The proposal for the houses within this development is for the use of colour to be focussed carefully on key elements of the buildings such as doors in order

			quite limited pastels used in Shetland, is there an opportunity to be less prescriptive here too?	to provide each house with its own sense of identity in a measured manner.
KA	3	1	No detailed comments to offer on this occasion however recommend that OIC seek advice and information from OIC conservation and archaeology service in relation to the treatment of unscheduled and unrecorded archaeology in the area	OIC conservation have been contacted regarding treatment of unscheduled and unrecorded archaeology in the area.
IP	536	1	Slope of the site – Stepped development on any site reflects very much the nature of Stromness as seen from the sea however does not feel this can be achieved with the proposed building heights specified.	The development brief has been drafted to respond to the surrounding context of existing buildings. This comprises 2 storey development across Back Road at Faravel and 1 ½ storeys of the Citadel development which are of very similar height. The site - as existing - is identified in the Stromness UDF as a fifth tier area, but is also allocated as a higher density housing area.
		2	Would like brief amended to ensure that the proposed houses to the rear of the site set the highest building line.	Point noted. This will be the case due to the level of the land.
		3	Would like brief to be amended to state that a maximum of a storey at the western end of the site to avoid towering over neighbouring properties and creating new skyline development when viewed from Back Road directly next to the site or when approaching down Back Road from the top of the brae coming out of Stromness away from St Peter's House.	As outlined above, the surrounding context has established the height of buildings guided by the development brief.
		4	Would endorse a height set to ensure the new building only steps up to houses already in existence in Netherton Road which form the back boundary to this site.	Please see above points regarding contextual response.
		5	Does not feel sufficient note has been taken of the height of the site above the road line on Netherton Road however welcomes the reinstatement of the boundary wall to Netherton Road	Point noted – building line has been revised to establish separation between new buildings and existing road to as successfully as possible retain the more rural than urban character of Netherton Road.
		6	Would like further clarification detailed within brief as to how we propose to allow for a boundary which does not become excessively high and oppressive when walking along Netherton Road	Development Brief requires re-instatement of existing stone boundary walls and new building line set back will allow for a make up of any level difference post construction.
		7	Requires clarification on how the outworking of this will be implemented when the land is some 3-4 foot higher above Netherton Road at the access points between sites 2 and 3	Noted. As per comment 5 above.
		8	The building line indicated fronting onto Netherton Road – In the layout on page 6 it indicates a building line which follows the curve of Netherton Road. It is unclear as to whether buildings will finish at this line, or if this is the proposed line to be followed but the buildings would be further away from the road. If this building line is to show the form the dwellings should adhere to rather than the outer limits of buildings, then this should be shown more clearly	Point noted and agreed. The building lines have been revised to provide more clarity on the desired orientation and location of proposed new buildings

			as it is presently confusing.	
		9	Would welcome another line on the brief indicating the furthestmost extent of the dwellings in phase 2 and 3 to take into account the height of the land above Netherton Road to ensure that this corridor effect does not happen. It is recommended that sufficient distance from Netherton Rd is achieved and the height of dwellings at this point respects the raised land which is considerably above the road height	Please see comment 5 above.
		10	Phase 1 does not follow the principles laid out in phase 2 and 3 and recommend that house A is moved to follow the line of Netherton Road as laid out as the brief's own guidance.	The building line has been designed to orientate to the new open space at the re-opened Burn. We are satisfied that this is an appropriate response to context. However, text added to the Brief to make clear that the Burn is a space within the development that new buildings in the near vicinity should respond to as per the layout plan.
		11	Feels permeability has been partially addressed by providing some foot access across the site, feels that the road layout does not follow the same principles indicating that there will only be hammerhead access through phase 1,2 and 3 and no join between the end of phase 2 and phase 1. Recommends that the road is made fully joined following the 'home zone' principles of shared surfaces so there is a choice of two points of exit from phase 3.	Points noted. The Development Brief has been amended to support the potential for vehicular access between phases 1 and 3 in future at such a time when development proposals for phase 3 are made.
		12	Recommends that further consideration of the brief's own principles to ensure that properties A, B and C show sufficient addressing to the roads, access and frontage.	Point noted however, we are satisfied the proposed alignment of buildings will result in buildings which orientate appropriately to key routes and spaces.
DEV	6	1	<p>Policy background and context – This section states that the site is designated as “3rd tier character area” in the Stromness Urban Design Framework. The map on pg 76 of the UDF shows the site to be ‘5th tier’. 3rd tier areas allow semi-detached and terraced houses (i.e.high density) where as the criteria for 5th tier areas states no more than 3 buildings sited consecutively (i.e low density). In this respect the Development Brief as it stands fails to comply with the adopted UDF. The poor quality of the maps used in the UDF and Development Brief make it very difficult to define the site but it is clear that this is the case. I note that there is a discrepancy in the UDF in that there are sites designated for housing on the plan on pg 85 but these sites are missing from the plan on pg 76.</p> <p>To enable this Development Brief to progress the UDF the 3rd tier boundaries will require to be amended to include the North site of H11. If this is to be reviewed we ask that consideration be given to amending the adjacent site of H11 (Midgarth) to a 3rd tier character as well, as this would</p>	<p>Point noted. The character areas identified on page 76 are intended to identify existing character. The subsequent proposals on pages 84 and 85 then identify the sites as new higher density development sites. The design guidance for individual sites on page 90 clarify that new development should follow the PO4 character which includes terraced and semi-detached and detached dwellings. This guidance applies to the following sites: Brinkies Brae, Hillside Road, Netherton Road, Ogalby Road and Citadel Road (see page 90 of the UDF).</p> <p>Fro information, we are due to revise the UDF as part of the Orkney Local Development Plan review in June 2011 to ensure it is consistent with the Proposed Plan which has evolved from the original work undertaken through the UDF.</p>

			greatly improve the viability of the development of this site. As it stands, if the Development Brief is to comply with the UDF it would have to propose a severely reduced number of houses	
		2	Development Brief Strategy – The proposed site plan on pg6 shows a pedestrian access to OHAL site at Citadel Drive. The position indicated will require to go through existing individual gardens and parking spaces. This would make this suggestion impossible to implement.	Point noted and agreed that the southern most pedestrian route is dispensable. However, development brief strategy plan still to identify longer term potential to link through to Citadel should this opportunity ever arise.
OICO	40	1	The brief identifies only one vehicular access to the site from Back Road. Consideration should be given to additional access at the Citadel scheme. Consider an access onto Netherton Road. The principles of Designing Streets should be considered in more depth and details provided for all phases of the development.	Access from Citadel scheme is impeded by private garden ground. Vehicular access to Netherton Road has not been identified as necessary. Footpath connections are adequate in terms of the permeability of the development site and the response to Designing Streets. In addition to this, As discussed in order to as successfully as possible retain the character of Netherton Road it is not proposed to develop a vehicular access here.
		2	There appears to be several footpath links onto Back Road, including those from individual dwellings as well as 2 new footpath links onto Netherton Road, are these all required? The links onto Netherton Road will require the upgrade of the existing road network.	Point noted and agreed that the southern most pedestrian route is dispensable. However, development brief strategy plan still to identify longer term potential to link through to Citadel should this opportunity ever arise.
		3	Developers will be required to provide SuDs assessments and provide full attenuation or consider upgrading the existing drainage system where appropriate; reference should be made to SuDs for Roads.	Text to be included to cover this point.
		4	Consider traffic management issues for the area. Need to identify specific issues relating to the site and consider the wider impact of the development on the surrounding area. May require the introduction of new Traffic Regulation Orders.	Point noted
		5	Required to provide Traffic Assessments for the sites identify the impact on the existing road network and transport infrastructure.	Text has been added to establish that there may be a requirement for Traffic Impact Assessment .
		6	Refer to the council's Roads development Guide for design and construction of new development associated roads and footways within Orkney Islands council area, with particular regard to standards for safety and the provision of accesses, servicing arrangements, and parking facilities. This will provide guidance on the procedures to be followed to reach the Council's adoptive standards.	Text to be added to the Brief.
		7	Bitmac is the preferred option for the surface coat on all adoptable sections of carriageway. Other materials will be considered for car parks, footways, footpaths and communal	Points noted and these detailed issues more appropriate at planning application stage

			<p>areas particularly where pervious pavement may be considered as part of SuDs treatment. No funding will be available from the Roads capital or revenue budgets. Allowance would need to be made for the improvements with new funding sourced for proposed additional sections. In addition funding to cover future additional maintenance must be identified.</p>	
		8	<p>Development should consider flood risk mitigation measures and SuDs assessments which should provide and include for full attenuation and treatment and identify any requirements for upgrading the existing drainage system where appropriate.</p>	<p>As above text has been added to address these issues.</p>
		9	<p>There is an existing surface water culvert that runs across the north east corner of this site connecting the burn from the west of the Netherton Rd to the May Burn at Faravel. It would appear that this development will re route this culvert and create an open water course. How is it proposed to connect to the May Burn? This drainage system would require to be upgraded to accommodate the new development and any proposed SuDs. The SuDs should be designed to not only accommodate each individual phase of the development but give consideration at an early stage of the project to the long term provision for the whole site.</p>	<p>Points noted. Detailed design will be carried out at the planning application stage, however the fundamental principles stated within the development brief have been agreed with SEPA.</p>
		10	<p>The brief suggests the use of filter trenches and control manholes, the council as roads Authority would prefer to see the use of filter strips and/ or swales. The developer will be required to refer to the technical guidance document SuDs for Roads Scottish Water should be approached with regards to the adoption of SuDs schemes.</p>	<p>Points noted. As above, detailed proposals to be determined at the planning application stage. The more detailed text presented in the draft document has been removed and the broad principles inserted instead, as agreed with SEPA.</p>
		11	<p>The provision of street lighting will be a requirement within the development and it will be necessary to extend the existing lighting network where the roads infrastructure is to be upgraded.</p>	<p>Point noted. However, this issue is best addressed at the planning application stage.</p>
IP	613	1	<p>His 1 property will back on to 2.5 houses from a row of 5. This shows a disregard for reasonable privacy. In addition the adjoining land is on higher ground, thus meaning that their home could well be overlooked by this row of buildings proposed on the site plan.</p>	<p>Citadel development itself is a high density development, and the land identified at Netherton Road covered by the Development Brief is to be of a similar density as per the density proposed in the adopted Stromness UDF. However, efforts have been made in the site layout to set the buildings back into the site – particularly along Netherton Road, to try to retain as much of the character as possible in this area.</p>
KA	11	1	<p>No comment at this time</p>	<p>Point noted.</p>

KA	2	1	Policy Background & Context - (Last Paragraph) SNH would consider that a further reason for the production of the DB is that this is a housing area within Stromness which is a key settlement of integral character within a National Scenic Area. Therefore, there should also be a desire to ensure that high quality design is maintained.	Point noted and text to be added to Policy Context.
		2	Design Criteria – SNH welcomes the inclusion of clear and specific design criteria which provides a very strong and positive message on the importance of design.	Point noted.
		3	Design Criterion 3 – Open Space and Landscaping – The tone used in this criterion comes across as quite negative and this may lead to a message that this is of lesser importance. Phrases such as 'minimal maintenance' and problems of 'neglect' are not very helpful or inspiring. SNH consider that a more positive tone is required, that will encourage any developer to take a more innovative look at opportunities on this site (taking account of these constraints but not overwhelmed by them). This would read as a much desirable outcome when which the proposal to de-culvert the burn and creation of pedestrian access could clearly contribute to.	Point noted and text revised to address these points
		4	Final paragraph – the term is 'wildlife corridor' not habitat corridor'	Point noted and text to be amended.
OCC	6		Mixed views on density but general view that important to provide for more housing in Stromness and recognise that this site has been allocated for some time	Point noted
			Some concerns about potential flooding, and down stream impacts on May Burn – however, note proposal to de-culvert and that SUDS schemes will be developed to mitigate	Point noted and further clarification on SUDS schemes added to brief.
IP	12	1	Perturbed that there should be a planning application submitted for the site before any development brief agreed as it appears that it is a rubber stamp exercise on behalf of the OIC. Hopes this will not set a precedent for future planning applications and hopes it wont be replicated in the future.	Point noted. However, our standard development brief preparation procedure has been followed in this case, and the outcomes of the phase 1 development have been informed by the Brief. In addition to this, any future development of phases 2 and 3 are directed by the Brief.
		2	Due to topography of site being higher than Back Road feels that 1½ storey houses would be more suited to this site. At the north and west of the site building should be reduced to single storey in keeping with the existing buildings that border the site.	Points noted. The Netherton Road site was identified in the Stromness UDF as a higher density housing site. As such, it makes reference to the surrounding higher density areas of Faravel and Citadel in terms of height and density. The lower density areas proposed by the UDF are located further to the west and south of the site.
		3	Currently the main sewer that runs down Back Road delivers raw sewerage into the harbour and this will not be rectified until Scottish Water install additional pumping	Point noted. Scottish Water have advised that it may be necessary to upgrade the local system, and that it will be necessary to investigate these local network issues, including capacity at Bu Point waste water treatment plant at the planning application

			stations and pipe work to the south end of Stromness. We should be trying to alleviate this problem and not exacerbate it. Having looked at the plans do not find any annenuation system put in place to alleviate surface water run off.	stage. The development brief has been revised to cover these points.
		4	Final brief needs to specify what type of hard landscaping is to be installed	It is not the role of the development brief to specify detailed information, this will be determined at the planning application stage, however, the brief does raise awareness of Designing Streets which should be considered in the choice of layout and materials.
		5	Would like proof to support OIC statement ' <i>Design Criteria 5 – Water Resource management. There are no known incidences of flooding occurring within this site</i> ' as he has in the past provided photographic proof of the Burn with run off flooding the Back Road.	The development brief has made reference to the Addendum to the Strategic Flood Risk Assessment which highlights no flooding issues on the site.
		6	The number of sites envisaged given its proximity to the North Hoy Scenic Area and countryside is excessive. Would like criteria to be the same as proposed in the draft Garson Development Brief in the phases out towards Copeland Dock. This would better frame the town from the west and borders to the country side.	Point noted, however, as above, this site has been identified in the Stromness UDF as a higher density site (similarly to Garson phases 1-4). Lower density development is proposed immediately to the south and west. That said, phase 3 of the brief calls for 1 ½ storeys in order to ensure that this phase of development begins to lower the perceived density of development.
		7	Further investigation needs to be undertaken to the path of the May Burn underground as it could impact on the location of the houses to the north of the site.	Detailed of how flood prevention within the site will be determined at the planning application stage alongside the best practice documents SuDS Manual and SuDS for Roads to ensure that flooding issues are not created further down stream. Reference to this has been revised in the brief.
		8	Fails to see how the design of these houses relates to the town and its environment. Worried that the ship-lap cladding will look as terrible as seen on the Citadel development and in no way reflects any other development within the town.	Point noted. However, the development brief provides an overview of design considerations and promotes the mix of a use of appropriate materials. This matter will be determined at the planning application stage.
		9	Has concerns that any paths leading from this development could result in an accident unless Netherton Road is widened to accommodate a footpath. The most logical way to incorporate a footpath would be to reduce the size of the site and instate a footpath along the boundary. If this is not made part of the brief the onus of any accident could be on the OIC for not taking this point into consideration.	Points noted. The development brief has been prepared through consultation with OIC Roads Services. Detailed issues will be determined at the planning application stage, however, the brief has been amended to note that upgrades to Netherton Road may be required, however, that it is important that the rural character of the road is retained as successfully as possible. The Brief makes moves such as keeping the building line back from Netherton Road to further assist in this objective to ensure that Netherton Road remains as similar in character as possible to what it is now, whilst acknowledging that road safety concerns are of paramount importance.