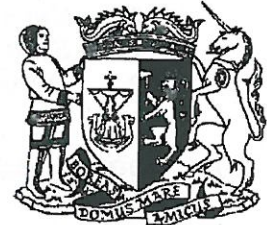


# DEVELOPMENT PLANNING AND REGENERATION



**ORKNEY**  
ISLANDS COUNCIL



**Development Brief –  
'Lyness Development Area', Hoy**

**May 2011**

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## 1.0 Introduction

### 1.1 Background

The Lyness Development Brief has been prepared by Orkney Islands Council to establish the key principles for future development around Lyness Harbour and the wider Lyness peninsula. The Brief seeks to positively support and facilitate the co-ordinated development of this strategic development area. The document contains a brief character appraisal of the Lyness Development Area and establishes specific development criteria and a land use schedule which is intended to form Supplementary Planning Guidance to the Orkney Local Plan 2004.

### 1.2 Status of the Guidance

This Development Brief has been prepared within the context of the Orkney Local Plan 2004 as Supplementary Planning Guidance and will be utilised by Orkney Islands Council to consider and determine development proposals in respect of the area. This document became a material consideration in the determination of planning applications within the Lyness Development Area to which it relates following approval by Council in May 2011.

### 1.3 Objectives

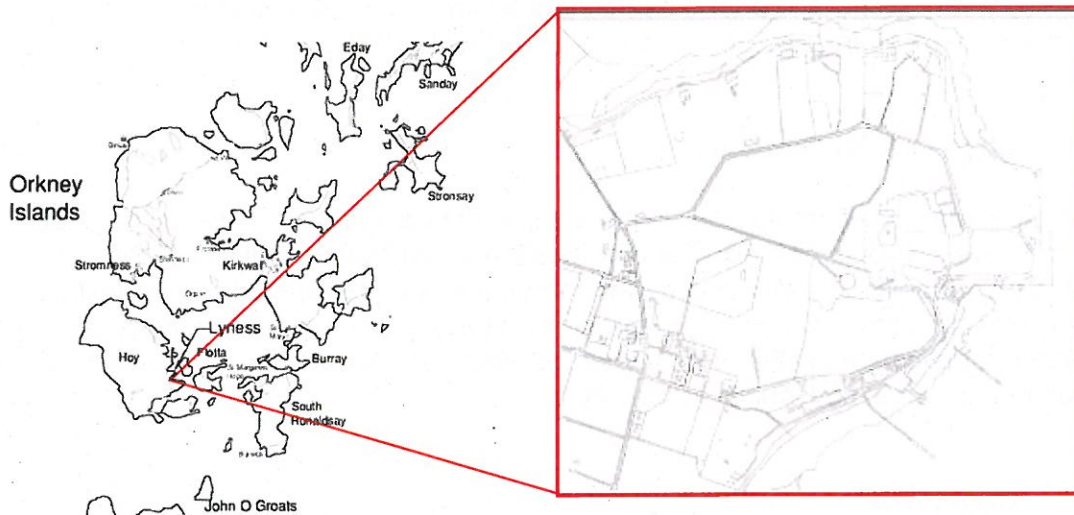
It is anticipated that in coming years there will be an increased demand for dock space, assembly yard space and maintenance facilities from the growing renewables sector. Orkney Islands Council has identified the deep water harbour at Lyness as the ideal candidate to meet these needs alongside the emerging needs of wider marine industries. In addition to the current and predicted demands from the renewables sector, the Scottish Government, within the National Planning Framework, has identified Scapa Flow as a potential site for an international transshipment container hub, owing the strategic location of Orkney and to the shelter offered by the natural anchorage of Scapa Flow, and Lyness is one of the sites identified by Orkney Islands Council that is best suited to providing such a facility.

- i) This Brief aims to ensure that Lyness is developed in a coordinated manner and that there is adequate infrastructure provision in place to effectively service the area under consideration.
- ii) The Brief seeks to protect the residential amenity of the local community and to consider structures of historic significance and their setting within the Lyness Development Area along with any natural heritage constraints.
- iii) This Brief aims to ensure that any short-term development of the area, carried out in reaction to immediate demand, does not compromise the long-term viability of this strategic location.

## 2.0 The Lyness Development Area

### 2.1 Location

This Development Brief considers land at Lyness, situated upon the east coast of the island of Hoy, centred at grid reference ND 312 948 which extends to approximately 38 hectares. The Lyness peninsula is bounded by the waters of Scapa Flow to the north, east and south and by the village of Lyness to the west.



### 2.2 Site Description

The two main easterly facing quays at Lyness harbour are presently used on a light and sporadic basis primarily by private recreational vessels relating to the tourism and leisure industry. The smaller southern berth at Lyness is currently utilised as the Houton-Flotta-Lyness ferry terminal and is visited by a Ro-Ro ferry several times each day.

The main Lyness harbour, along with the area directly behind the wharf, is reclaimed land and is therefore predominantly flat with a gentle incline stretching from the reclaimed land to the west beyond the original shoreline. A public road segregates the harbour from the wider Lyness peninsula and circumnavigates the Lyness Development Area. A former Second World War oil tank, pumping station and Romney Hut are situated around a central water feature within the Lyness Development Area, which was originally a quarry. These wartime structures comprise the Scapa Flow Visitor Centre and Museum, an accredited museum which is managed on behalf of the people of Orkney and visitors by Orkney Islands Council, which tells the story of Britain's wartime naval base at Scapa Flow.

### 2.3 Site History

The strategic value of maintaining a sheltered anchorage to the extreme north of Great Britain was understandably appreciated by the War Office during the two Great Wars of the Twentieth Century. This resulted in the 140 square mile anchorage at Scapa Flow acting as the base of the Grand Fleet in WW1 and subsequently as base to the Royal Navy Home Fleet throughout WW2. Following the Armistice of 11 November 1918 the German High Seas Fleet surrendered to the Allies off the Firth of Forth on 20 November and was ordered north to Scapa Flow for internment. On 21 June 1919, Admiral Ludwig von Reuter, Commander of the interned fleet, ordered the scuttle of his own ships to avoid them falling into enemy hands as part of any peace treaty. In total 52 ships were sunk and the remainder were beached or else ran aground in the shallows. This resulted in a massive salvage operation, with local companies superseded by Cox and Danks in 1924, who raised themselves at Lyness to raise the bulk of the ships. When Cox and Danks pulled out in 1931, 'Metal Industries' took over the remaining salvage operation in the early 1930s, with the company remaining at Lyness during WW2 when they were at the service of the Admiralty.

Surveys were carried out in early 1936 to identify the most suitable sites at Lyness for surface and subterranean tanks to store the oil needed to serve the Home Fleet in case war were to once again break out. Construction began on the surface tanks in April 1936 with the first consignment of oil being received before Christmas of the same year and the last of the sixteen surface tanks within the Lyness Development Area becoming fully operational in July 1939.

The 'Lyness Scheme' was drawn up in 1938 with the intention of establishing an effective base at Lyness that could accommodate the personnel required to maintain the Home Fleet in such an isolated location as Orkney. The naval base at Lyness, known as HMS Proserpine, was rapidly constructed over the coming years and was subsequently expanded throughout the course of the war to a great extent, eventually housing as many as 15,000 servicemen, women and civilian workers.

At the onset of WW2, steps were immediately taken to improve the facilities at Lyness to effectively service the Home Fleet with three piers and an improved wharf, to stretch 600 feet and have deep water docking capabilities, being quickly commissioned. The improved wharf was completed in Spring 1944 using materials quarried from an area beside the pumping station, now a water feature, and from the spoil generated in the construction of the underground tanks and tunnels situated outwith the Lyness Development Area within the nearby hillside at Wee Fea.

Finally decommissioned in 1957 the naval base at Lyness was fundamental to the logistical operation of the Scapa Flow anchorage during WW2. As a result, the Lyness Development Area has a rich history owing to its strategic location and to the benefits of its deep water docking facilities.

## 2.4 Site Constraints

**Water supply** has been identified as a constraining factor for development in Hoy, Walls, Graemsay and Flotta and the necessary infrastructure upgrades will be a factor to consider within any proposal to develop land within the Lyness Development Area. At the time of the publication of the Brief there is currently the available water capacity for the equivalent of 28 housing units in the area covered by the Brief.

**Waste water treatment** will likewise need to be addressed within the Lyness Development Area for sewage and waste water at proposed industrial developments throughout both the construction phase and during any subsequent site operations. Any housing development will need to be connected to the existing sewerage system. Scottish Water has confirmed that pumping will not be permitted in this area due to the minimum pumped flow being in excess of the rate of flow which goes to Lyness Village Waste Water Treatment Works. At the time of publication, there is presently the available waste water treatment capacity within the existing infrastructure at Lyness to service the equivalent of 22 housing units.

**Surface water drainage** must be considered throughout the development of the Lyness Development Area. A central zone for a surface urban drainage system (SUDs) has been identified within the Site Organisation Plan at section 4.1 below and potential developers will be expected to utilise this strategic area to overcome surface water drainage issues. Reference must be made to 'Sewers for Scotland 2' when devising any drainage proposals where a developer wishes for the surface water system to be adopted by Scottish Water.

Phase 1 of the Lyness Development Area has been identified to be at risk of **flooding** through coastal inundation and this should be addressed through effective site layout and building design where appropriate. The remainder of the Lyness Development Area is outside of the 1 in 200 year flood envelope and is unlikely to be at risk of medium or high risk flooding.

It is a requirement of any proposal to carry out works during the latter phases of the Lyness Development Area that appropriate upgrades are carried out to a section of **public road**. This would facilitate the safe transit of large-scale vehicles around the wider site and would ensure the safety of users of the public road. Any upgrades would need to meet the specifications of the Roads Authority, which would be consulted on any applications to develop land within the Lyness Development Area. Furthermore, all connecting roads within the Lyness Development Area must be constructed to Roads Authority Standards and be fit for purpose.

Owing to the history of the Lyness Development Area, in particular to its wartime past, it is likely that certain areas may have issues with **contaminated soils**. It is the role of the Planning Authority to ensure that any risks to human health or to the environment are negated prior to development and it will therefore be necessary that assessments be carried out to any land to be redeveloped and that the appropriate remediation measures are taken prior to the commencement of any

reuse of the land. Developers will be required to take satisfactory precautionary measures to protect the public water and sewerage systems from any possible contamination. The developer may need to submit a full soil investigation report to Scottish Water and the Scottish Water Customer Services Team will be able to provide advice on this subject on request.

In order to ensure that the appropriate measures are taken to address any issues regarding contamination of the site, the Council's Environmental Health Department will be consulted in relation to any application for planning permission to develop land within the Lyness Development Area.

## **2.5 Natural Heritage**

Whilst there are not any designated natural heritage sites within the boundary of the Lyness Development Area, it will be necessary to assess the potential impact of any proposed development upon natural heritage assets nearby, which include the Hoy Special Area of Conservation, Special Protection Area (SPA) and Site of Special Scientific Importance. The Hoy SPA is designated for its aggregations of breeding birds. Of most relevance to the redevelopment of Lyness, the SPA regularly supports populations of red-throated divers, which is known to regularly fly between its breeding sites in the upland lochans of Hoy and its feeding sites within Scapa Flow.

The Nature Conservation (Scotland) Act 2004 highlights the need for local authorities to further the conservation of biodiversity. Within the Lyness Development Area, some areas with thin soils resulting from railway clinker, disintegrating hard-standing and areas of non-soiled aggregate or subsoil dumping have a particularly rich floral diversity, and also support an associated range of insects and other invertebrates, including species which are on the Scottish Biodiversity List and this should be preserved where possible. Particular attention should be given to maintaining any sites which contain Perforate St John's Wart and to preserving any potential breeding sites of the Common Toad which are known to have inhabited the area historically.

Any proposed development will need to consider its potential impact on European Protected Species, otters, bats and cetaceans. An otter survey has been undertaken in relation to a previous development which found no evidence of regular use of the area by otters.

There are known breeding seabird colonies on the two disused piers in Ore Bay and any proposed development that may affect either of these sites needs to include mitigation for example in the form of providing alternative nest sites.

## **2.6 Cultural Heritage**

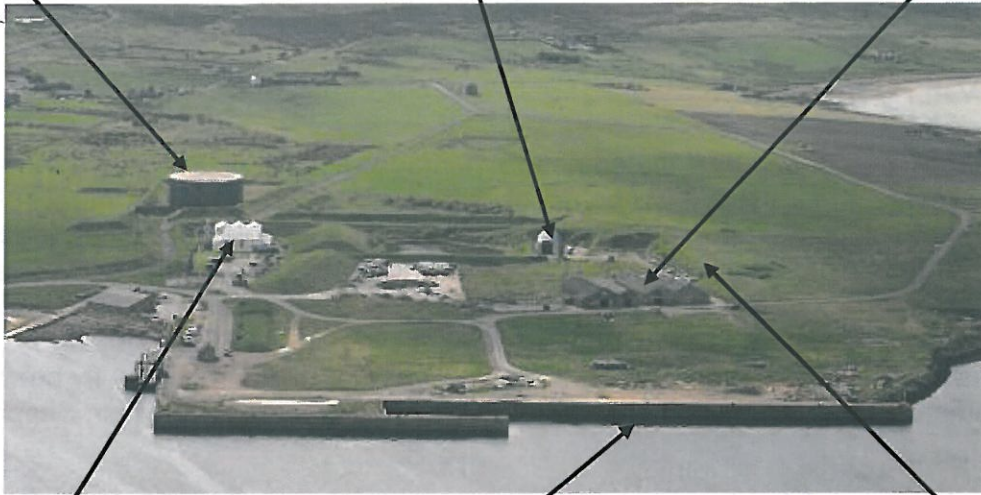
Remnants of wartime activity exist throughout the Lyness Development Area and the wider Lyness peninsula and are evident primarily in the form of a series of

upstanding structures, the majority of which are Listed Buildings. the structures identified on the Site Organisation Plan at Section 4.1 contribute to the understanding and interpretation of the history of the area.

**Oil Tank – A Listed**

**Romney Hut – C(s) Listed**

**Boom Defence Sheds - Unlisted**



**Pumping Station – A Listed**

**The Golden Wharf – C(s) Listed**

**Air Raid Shelters - Unlisted**



## **3.0 Policy Context**

### **3.1 National Planning Framework**

The National Planning Framework 2 identifies the development of a deep water opportunity at Scapa Flow. It also identifies the development of an international container shipment facility in Scapa Flow as a national priority and acknowledges that Orkney Islands Council has been assessing the potential environmental impacts of siting such a facility at Lyness within the '*Scoping Report for the Container Hub, Lyness, Orkney*', produced in September 2007.

### **3.2 The Orkney Structure Plan**

Policy SP/E1 *Business and Industrial Land* identifies a requirement for a site at Lyness for a large scale industrial use.

### **3.3 Orkney Local Plan**

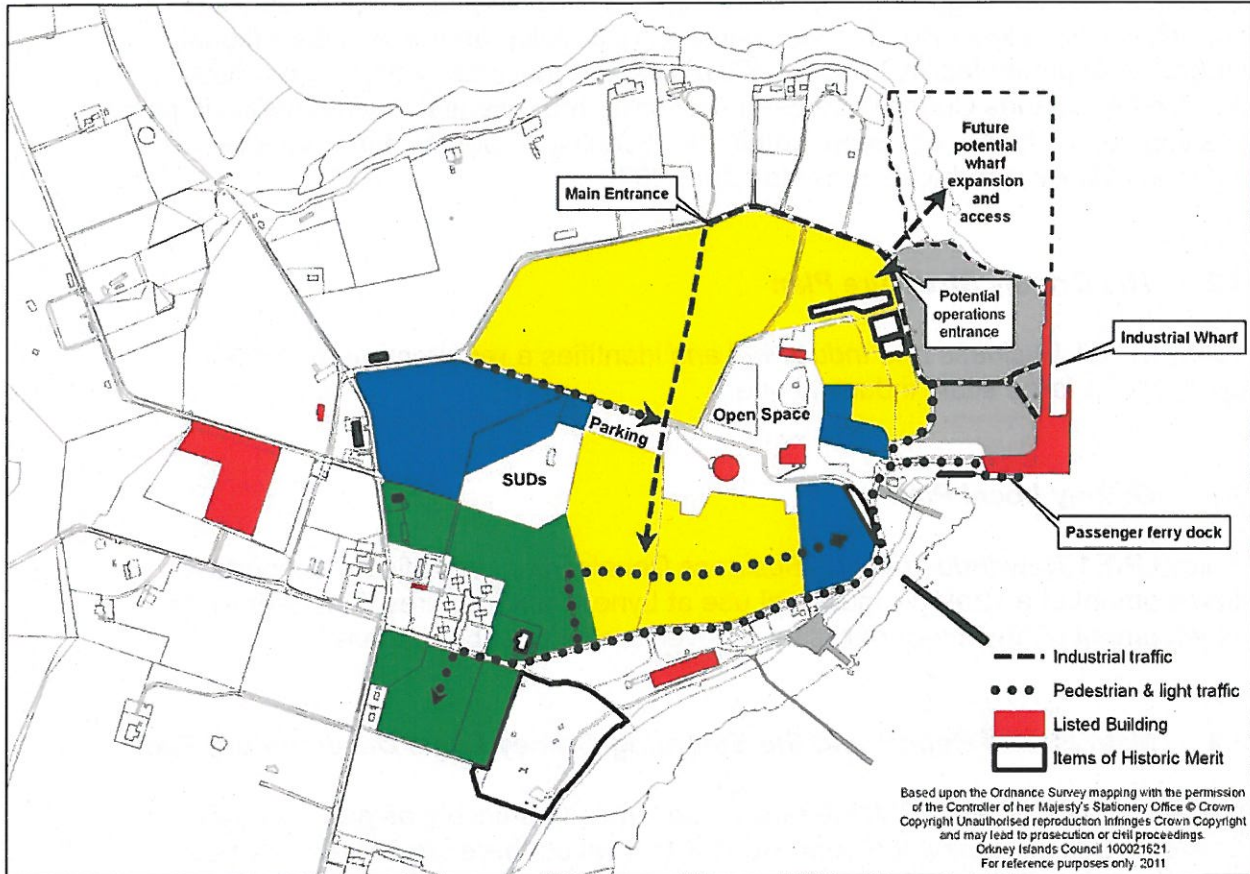
Policy LP/E1 *New Industrial and Business Development* specifically supports the development of a strategic industrial use at Lyness and requires that, prior to the development of any major new site, a development brief be prepared.

### **3.4 Main Issues Report and the Emerging Orkney Local Development Plan**

The Main Issues Report 2009 identifies the Lyness peninsula as part of a wider 'Strategic Business Development Area', within which there would be an overall presumption in favour of large scale (strategic) business development and it is expected that this aim will be carried forward to the emerging Orkney Local Development Plan.

## 4.0 Future Development at Lyness

### 4.1 Site Organisation Plan



- Class 5/6 (General Industrial/Storage) =
- Class 4 (Business) =
- Class 9 (Housing) =
- Harbour =

### 4.2 Land Use

The Site Organisation Plan at 4.1 above details the most appropriate locations for specific land uses and is therefore considered to be acceptable to Orkney Islands Council in principle. It is envisaged that the majority of demand within the Lyness Development Area will be for general industrial land as defined within the Town and

Country Planning (Use Classes) (Scotland) Order 1997. Care has been taken to ensure that the residential amenity of nearby residents is protected as far as possible from incompatible land uses in the production of the land use schedule and Site Organisation Plan.

Should general worker accommodation, or accommodation ancillary to specific operations within the Lyness Development Area, be deemed a requirement of potential developers or investors into the site, such accommodation should be provided in the areas designated within the Site Organisation Plan, which are sited adjacent to the existing residential units within Lyness Village. Any additional housing within the wider Lyness area should likewise be directed toward the housing allocations within the Lyness Development Area.

### **4.3 Additional Infrastructure**

In order to realise the full potential of the Lyness Development Area, certain infrastructure upgrades are essential.

It is a requirement that a portion of the existing public highway be upgraded to the specification of the Roads Authority to enable the envisaged scale and weight of traffic to safely manoeuvre around the Lyness Development Area with minimal risk to road users. Consideration must be given to traffic management issues both within the Lyness Development Area and the wider impact on the surrounding area.

A Transport Statement must be produced prior to the determination of the first planning application within the Lyness Development Area. The Transport Statement will include a Traffic Impact Assessment, carried out to the satisfaction of the Roads Authority, which identifies areas where improvement or additional infrastructure is required. Developers should refer to the Council's Roads Development Guide to inform the construction and design of roads and footway upgrades, with particular regard to standards for safety and the provision of accesses, servicing arrangements and parking facilities. The guide also details the procedures to be followed to reach the Council's adoptive standards.

The Transport Statement will also contain a Public Realm Strategy to include vehicular and pedestrian signage and interpretation which aims to consider the following:

- How best to orient visitors to Hoy and Walls as a whole.
- Gives consideration to how to highlight the memorials and museum in the immediate vicinity, and the opportunity to walk the former Royal Navy Base through the wartime trail leaflet developed through the Scapa Flow Landscape Partnership.
- How to assist the museum to explain the history of Lyness, with particular reference to its role as a WW2 Royal Navy Base, and its salvage history.
- That the post-industrial area has developed significant wildlife and biodiversity.

- the modern industrial and business use of the Lyness Development Area and its role in securing sustainable development on a global scale.

It is essential that water supply and suitable foul and surface water drainage provision must be accommodated within the site and that an appropriate SUDs scheme must be provided within the area depicted upon the Site Organisation Plan. Consultation should take place at an early stage between Orkney Islands Council, prospective developers, SEPA and Scottish Water to agree the scale and design of these infrastructure projects.

Should there be insufficient capacity at one of Scottish Water's works to accommodate any proposed non-domestic development; the developer would be required to provide the necessary funding to offer a solution which permits the development to be connected. Any improvements carried out to the existing water or waste water networks as part of these works may be eligible for financial contribution from Scottish Water.

Reference should be made to 'Sewers for Scotland 2' when devising any drainage proposals where a developer wishes for the surface water system to be adopted by Scottish Water.

Soft landscaping must be provided to act as a buffer between parcels of land, especially in the case of sites with differing use classes. In particular, the boundary between industrial land and the area allocated for housing must be sensitively handled so that any disturbance to residents from industrial activities and traffic are minimised. These green fringes will comprise the planting of species as specified by OIC's Environment Officer to act as mitigation for the loss of any existing habitat and established species as a result of developing the wider Lyness Development Area. It will be preferable that any landscaping should avoid damaging any existing areas of biodiversity importance through inappropriate soiling and planting, and should instead appropriately consider the interpretation and management of areas as informal landscaping, in order that any post-industrial wildlife and associated wildflowers should continue to occur as part of the public realm and landscaping of new industrial development within and around the Lyness Development Area.

#### **4.4 Buildings to be Retained**

Those buildings detailed upon the Site Organisation Plan, which are Listed or are deemed to be of historic merit, must be retained in situ wherever possible. All land use planning proposals within the Lyness Development Area should be sympathetic to and must strive to effectively accommodate any historically significant buildings. Where it is not possible to effectively preserve structures of historic merit, it will be a condition of development that a full archaeological survey be carried out in advance of conversion/demolition.

The setting and wider context of any buildings or structures of historic merit should be preserved wherever possible and particular consideration should be given by developers to the interrelationship between contemporary wartime structures.

#### **4.5 Scale, Massing and Height**

There is a long-standing tradition of industrial and military activity within the Lyness Development Area. The area historically comprising a busy and bustling harbour environment with large numbers of workers, especially during the Second World War, and with the dense development of functional structures a notable characteristic.

The scale and density of the structures within the area will ultimately be directed by the functional requirements of land users. It is therefore not desirable to dictate the form that any industrial structures should adopt, only to emphasise the need to provide effective connectivity throughout the Lyness Development Area.

In order to preserve the setting of the Listed structures throughout the site, the height of any proposed development above sea level should not exceed that of the Oil Tank at the heart of the Lyness Development Area unless it can be demonstrated that such a height is a specific functional requirement of a particular industrial building/structure. This reflects the fact that, since its construction, the Oil Tank is the highest structure in the Lyness Area. In the interest of respecting the heritage value of the site, any proposed development within the immediate setting of Oil Tank, which would have a significant adverse impact on the A Listed structure by virtue of its height would be unacceptable.

#### **4.6 Layout and Design**

All reasonable attempts should be made by developers to ensure that the amenity of the area and surrounding residents is not compromised by any new development. This should be achieved through the high-quality design of individual buildings and by the screening of industrial yards from public view by utilising effective layouts and landscaping wherever possible. Furthermore, particular attention should be paid to the lighting utilised within the Lyness Development Area and within any associated public realm improvements.

#### **4.7 Phasing**

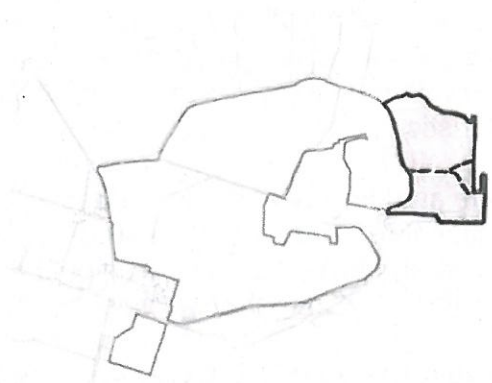
Whilst it is appreciated that flexibility is fundamental to successfully realising the development potential of the Lyness Development Area, the indicative phasing sequence below is the most logical in the terms of delivering the necessary infrastructure upgrades. If demand dictates that a later phase be developed out of sequence, any necessary infrastructure upgrades from the earlier phases must be delivered in order to effectively release the site.

Details of how developers may contribute to the necessary infrastructure upgrades can be found at Section 4.8 below.

**Phase one:**

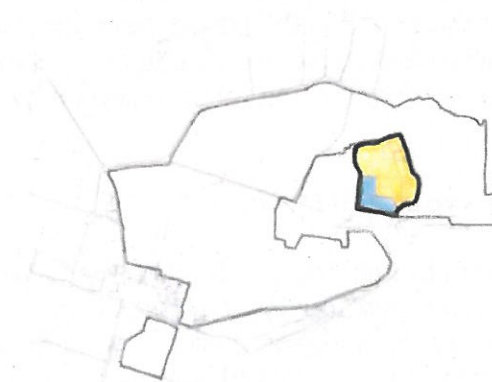
Phase one comprises works to take place exclusively within the harbour area. The works will likely include the implementation of Planning Consents 09/583/LB, relating to the modernisation and upgrade of the wharf facilities, and 10/013/PP, which concerns the erection of an industrial building and the formation of a materials storage area, and will also involve installing effective drainage provision to meet the requirements of the harbour area. A key objective to enable the future development of the wider Lyness

Development Area is the retention of the key route from the wharf to the public road.



**Phase two (Industrial and Business):**

Phase two would enable the release of the initial industrial and business land packages identified within the Site Organisation Plan. The commitment to installing appropriate landscaping measures is fundamental to any planning permission being granted and the landscaping will need to be carried out prior to the occupation of the site. The adjacent area marked 'open space' on the Site Organisation Plan contains potential for parking and SUDs for these initial sites for which contributions will be required as detailed within section 4.8 below.



**Phase three (Industrial or Business):**

Phase three would enable the release of the next level of industrial and business land packages identified within the Site Organisation Plan. The commitment to contribute to the upgrade of the associated Roads infrastructure and landscaping from any party wishing to develop these specific sites is fundamental to any planning permission being granted and the upgrades will need to be carried out prior to the commencement of development. Parking and SUDs provision must be either sought from the communal areas marked on the Site Organisation Plan or from the 'open space' area to serve the phase one



developments. In both cases, contributions will be required from developers as defined within section 4.8 below.

**Phase four (Industrial):**

In order to secure planning permission to develop land within this phase of the Development Area, prospective developers must commit to contributing to the necessary infrastructure upgrades relating to the formation of the road, parking, landscaping and SUDS scheme and development must be designed in such a manner that it enable the effective future development of the wider phase.



**Phase five (Business):**

Any planning permission to develop land within this phase of the brief will be conditional upon the developer providing contributions to the necessary upgrades to roads, parking, landscaping and SUDS infrastructure as required.



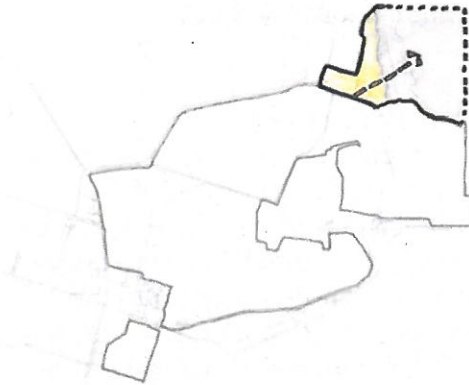
**Phase six (Industrial):**

Any planning permission to develop land within this phase of the Development Area will be conditional upon the developer upgrading the appropriate sections of roads, parking, landscaping and SUDS infrastructure.



### **Subsequent Phases:**

A full Environmental Impact Assessment will be required prior to carrying out any works to extend the wharf area to the north of the existing harbour. Details regarding how any harbour extension would fit into the existing infrastructure of the Lyness Development Area would accompany the relevant application for planning consent along with supporting information detailing how the Harbours Department propose to safeguard the residential amenity of nearby properties.



The extent to which the wharf may be extended at any point in the future, and the actual extent of the land which is presently included within the subsequent phases diagram above, is indicative only and will ultimately be determined through the planning application process and associated Environmental Impact Assessment. The road and future Industrial land will serve to future expansion of the wharf and will potentially assist in the delivery of the international transshipment container facility if required.

### **4.8 Infrastructure Contributions**

Where each phase is to be developed incrementally it will be necessary for developers to contribute to the delivery of the necessary infrastructure associated with the phase as outlined in 4.7. Infrastructure Contributions will be negotiated according to the scale of the individual developments concerned. It will be necessary to establish the overall cost of the necessary infrastructure at the point of the first planning application for each phase. Infrastructure Contributions will be set as a relative proportion of the scale of each planning application (based on site area) within each phase of development. Contributions will thereafter be paid into a bonded account prior to the commencement of development of each planning permission.

It will be a requirement that biodiversity enhancement be incorporated into all schemes of landscaping within the Lyness Development Area with specific projects to be agreed in advance with OIC Environment Officers to provide mitigation for any biodiversity lost as a result of new developments. Wildflower seed of local provenance should be used in the reinstatement of road verges and within the 'green fringes' between development sites. Likewise, tree species native to Orkney, and preferably of local provenance, should be planted where specified.

It will be preferable that any landscaping should avoid damaging any existing areas of biodiversity importance through inappropriate soiling and planting, and should instead appropriately consider the interpretation and management of areas as informal landscaping, in order that any post-industrial wildlife and associated



wildflowers should continue to occur as part of the public realm and landscaping of new industrial development within and around the Lyness Development Area.

## 5.0 Sources of Additional Information

### 5.1 Useful Web Links

National Planning Framework 2:

<http://www.scotland.gov.uk/Publications/2009/07/02105627/0>

Orkney Structure Plan 2001:

[http://www.orkney.gov.uk/nqcontent.cfm?a\\_id=9917&tt=orkneyv2](http://www.orkney.gov.uk/nqcontent.cfm?a_id=9917&tt=orkneyv2)

Orkney Local Plan 2004:

[http://www.orkney.gov.uk/nqcontent.cfm?a\\_id=9931&tt=orkneyv2](http://www.orkney.gov.uk/nqcontent.cfm?a_id=9931&tt=orkneyv2)

Orkney Local Development Plan Main Issues Report:

[http://www.orkney.gov.uk/nqcontent.cfm?a\\_id=14943&tt=orkneyv2](http://www.orkney.gov.uk/nqcontent.cfm?a_id=14943&tt=orkneyv2)

### 5.2 Contact Information

For further information on this Draft Development Brief, interested parties should contact:

Development Planning and Regeneration  
Strategic Planning  
Orkney Islands Council,  
School Place,  
Kirkwall,  
KW15 1NY

01856 873535

[devplan@orkney.gov.uk](mailto:devplan@orkney.gov.uk)

or:

Development Management  
Environmental Standards  
Orkney Islands Council,  
School Place,  
Kirkwall,  
Orkney,  
KW15 1NY

01856 873535

[planning@orkney.gov.uk](mailto:planning@orkney.gov.uk)