



**Planning Performance Framework**  
**Orkney Islands Council**  
Annual Report 2019/2020

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# 1. Defining and Measuring a High-quality Planning Service

## a. Quality of Outcomes

The [Kirkwall Townscape Heritage Initiative](#) was launched in July 2014 following successful funding bids to the Heritage Lottery Fund and Historic Scotland (Conservation Area Regeneration Scheme) and has been delivering improvements to the built heritage of the Kirkwall Conservation Area. The £3.5 million project has regenerated the town centre of Kirkwall through revitalising historic buildings by providing grants for historic repairs and reinstatement and bringing vacant properties back into economic use. The two priority projects within the THI were the change of use of the former Kirkwall Library in Laing Street into a shop, gallery, café bar and music which was completed in 2017 and the transformation of a former Herring Curing Store in Bridge Street Wynd into a [restaurant with rooms](#) which was completed in 2018. The five year THI project was completed in June 2019.

<b>Case Study 1</b>	
<b>Kirkwall Townscape Heritage Initiative</b>	
<b>Location and Dates:</b>	
Kirkwall – 2014-2020	
<b>Elements of a High Quality Planning Service this study relates to:</b>	
<ul style="list-style-type: none"> <li>• Quality of outcomes</li> <li>• Quality of service and engagement</li> <li>• Governance</li> </ul>	
<b>Key Markers:</b>	
12	
<b>Key Areas of Work:</b>	
<ul style="list-style-type: none"> <li>• Regeneration</li> </ul>	<ul style="list-style-type: none"> <li>• Town Centre</li> </ul>
<b>Stakeholders Involved:</b>	
<ul style="list-style-type: none"> <li>• Authority Planning Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Authority Other Staff</li> </ul>
<b>Overview:</b>	
<p>Kirkwall is Orkney's largest settlement with approximately 8,000 residents.</p> <p>Orkney Islands Council's Regeneration Strategy for Kirkwall aims to:</p> <ul style="list-style-type: none"> <li>• increase the prosperity of Kirkwall's residents and business community.</li> <li>• improve the quality of life for all people in the community.</li> <li>• create an attractive and sustainable place that promotes pride and a sense of belonging.</li> </ul> <p>Following on from the successful completion of a similar project in Orkney's second town, Stromness, it was clear that there was also a need for both redevelopment and the economic regeneration of Kirkwall's town centre conservation area. In responding to that, the Kirkwall Townscape Heritage Initiative (KTHI) was launched in 2014.</p>	

**Goals:**

1. *Invest and promote investment in the built heritage*
2. *Deliver public realm improvements*
3. *Enhance the economic sustainability of the town centre*
4. *Make Kirkwall town centre a better place to live, work, and visit*

**Outcomes:**

The Kirkwall Townscape Heritage Initiative (KTHI) invested over £2.9M in the restoration and repair of 60 historic buildings in the Kirkwall town centre Conservation Area. This in turn leveraged more than £2M of additional investment by the property owners. Some very prominent buildings were brought back into use and other historic buildings repaired, with architectural details restored on many buildings. Shop fronts were improved, and signage restored in a more traditional style.

Significantly, the KTHI investment is considered by many to have had a catalytic effect in the town centre, creating a 'feel good' factor which has encouraged further investment and created a more attractive and appealing trading environment. At its completion date in February 2020, there were no vacant commercial properties along the length of the four streets/roads that comprise the retail town centre, an enviable and rare position these days, and a solid foundation upon which to base Kirkwall's recovery from the impacts of the Covid-19 pandemic.



Above – Albert Street, property restoration



Above – Former Herring Curing Store in Bridge Street Wynd





Above - Former Kirkwall Library in Laing Street

**Name of key officer**

Roddy Mackay, Head of Planning, Development and Regulatory Services

The Council has adopted Placemaking Principles to provide the foundation for the development of future policies and proposals for Placemaking in Orkney. A Placemaking Strategy Project Plan has also been prepared and Supplementary Guidance on [Kirkwall Placemaking Proposals](#) were approved in September 2014. Through our Kirkwall Townscape Heritage Initiative “[Spaces and Places](#)” Programme we have been undertaking engagement with businesses, the Kirkwall Business Improvement District (BID), and Kirkwall and St Ola Community Council, and a number of areas to be the focus of public realm improvement projects in the centre of Kirkwall have been identified. [Public consultation](#) on the projects was undertaken in October 2017 and the first phase of works involving improvements at the head of the Strynd and Castle Street and provision of a path from the War Memorial to St Magnus Cathedral were undertaken in Spring 2019. A second phase of works was undertaken between September 2019 and February 2020. The works included new paving outside the Orkney Museum and at the head of Victoria Street.

**Case Study 2**

**Places and Spaces – Kirkwall Public Realm Project**

**Location and Dates:**

Kirkwall 2018 – 20

**Elements of a High Quality Planning Service this study relates to:**

- Quality of Outcomes

**Key Markers:**

12

<b>Key Areas of Work:</b>	
<ul style="list-style-type: none"> <li>• Place Making</li> </ul>	<ul style="list-style-type: none"> <li>• Active Travel</li> </ul>
<b>Stakeholders Involved:</b>	
<ul style="list-style-type: none"> <li>• Authority Planning Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Authority Other Staff</li> </ul>
<b>Overview:</b>	
<p>The Places and Spaces project was designed and delivered by the Council’s multi-disciplinary Placemaking Team between 2018–2020. The project is an exemplar in placemaking, active travel and community engagement.</p> <p>Strongly influenced by the community at the outset, the Kirkwall and St Ola Community Council and Kirkwall Business Improvement District helped the project team to identify locations within the town centre where improvements should be made.</p> <p>The overall agreed aim of the project was: To create high quality, distinct people-focused spaces that are sympathetic to the historic environment and which will enhance enjoyment and appreciation of the town centre. These spaces should encourage movement through the town, inform people about Kirkwall and its history, signpost local amenities, combine features of interest and link in with town trails.</p> <p>These organisations also identified existing issues with the design of these spaces, and informed the aims and objectives set for the redesign of each area which would be carried out by the Council’s multi-disciplinary Placemaking Team.</p> <p>Many of the issues identified focused on impediments to the movement of pedestrians and cyclists, the lack of welcoming arrival point in the town and the need for seating. In general, it was considered that these spaces were underutilised, car dominated and had the potential to offer more to people using the town centre.</p>	
<b>Goals:</b>	
<ol style="list-style-type: none"> <li>1. Deliver public realm improvements</li> <li>2. Enhance the economic sustainability of the town centre</li> <li>3. Make Kirkwall town centre a better place to live, work, and visit</li> </ol>	
<b>Outcomes:</b>	
<p>The Places and Spaces project attracted investment of £1m as the public realm element of the Kirkwall Townscape Heritage Initiative project. Delivering improved accessibility for all street users and enhancing opportunities for active travel in the town centre, the project attracted investment from Sustrans Places for Everyone Programme, and thus went beyond the KTHI’s core objectives of historic environment conservation and economic regeneration towards an innovative outcome for placemaking and active travel.</p> <p>The project focused in the streets overlooked by Kirkwall’s twelfth century St. Magnus Cathedral in the heart of Kirkwall’s Conservation Area and delivered improved pedestrian safety and access in this high footfall area. Pedestrian crossings at key pedestrian desire lines were highlighted by inserting traditional</p>	

materials into the existing bitmac surfaces, and pavements and high footfall areas were extended, repaired and/or paved in traditional stone with tactile paving providing assistance for the visually impaired. Kerbs were dropped at crossings to provide level access for users of mobility aids and streets narrowed to slow vehicle movement. Parking was reconfigured and realigned to provide improved public realm space around key buildings and shop frontages.

In addition to these works to the streets and pavements, bench seating, cycle stands, wayfinding, interpretation, recycling bins and a Scottish Water Top Up Tap was included. These improvements have made the town centre a more comfortable and enjoyable place to spend time, enhancing the economic performance of the town centre in the process. The wayfinding, interpretation and seating has also been located such that it provides a key arrival and navigational point for visitors to the town.

The Places and Spaces project demonstrates an excellent outcome for placemaking, active travel, and community engagement, with the Council's Placemaking Team, the Kirkwall & St Ola Community Council and the Kirkwall Business Improvement District key stakeholders in a collaborative design process throughout.



Above – The Strynd Square with bench seating, interpretation and signage.



Above – The Strynd Square looking back towards Victoria Street.



Above – the Victoria Street Gateway improvements with widened pavement enhanced public realm space enabled by reconfigured parking.



Above – The Victoria Street Gateway area showing new paving looking back towards Broad Street.



Above – the Victoria Street Gateway area showing enhanced access and improved public realm at entrance to Tankerness House Museum.

**Name of key officer**

Michael Harvey, Senior Policy Planner

A funding bid to the Heritage Lottery Fund was successful in attracting £3 million of funding for a [North Isles Landscape Partnership Scheme](#) and a project team was appointed in February 2019. The £4.5m project aims to raise awareness and conserve and enhance the distinct identities of Orkney's North Isles through the delivery of a number of projects aimed at developing and promoting the built, natural and cultural heritage. Historic Environment Scotland has also ring fenced a fund of £0.65 million to be utilised in the delivery of the Scheme. This investment will stimulate development and promote the survival of some of Scotland's most fragile communities and will run until 2023.

We have worked closely with colleagues in NHS Orkney with responsibility for delivering the new [Orkney hospital and health care facilities](#) to ensure that the planning application process is dealt with efficiently. This has included engagement in the A+DS NHS Scotland Design Assessment Process by participating in Panel Assessments of the emerging designs. The detailed planning application for the site was approved by the Council in November 2016 and monitoring the application and discharging conditions was continued throughout 2018/19 with the building itself being completed in June 2019.

Following public consultation over May and June 2016, the [Orkney Local Development Plan](#) was submitted to the Scottish Government for examination in September 2016, and was formally adopted on 18 April 2017. A range of [Supplementary Guidance](#) to support the Local Development Plan has also been developed - these cover - Settlement Statements; Housing in the Countryside; Energy; Historic Environment and Cultural Heritage; Natural Environment; and Aquaculture. The [Orkney Local Development Plan 2017 – Action Programme](#) was approved in June 2017 following consultation with key agencies and organisations. The most recent [Development Plan Scheme](#) approved by the Council in February 2019 noted the review of the Scottish Planning System, that the present Orkney Local Development Plan 2017 was up to date and that the detail of the work programme for review (timescales, productions, consultations) was unclear until the new Planning Act and associated regulations and circulars are finalised. The Council will not therefore be commencing a review of the current Local Development Plan until the new legislation is in place.

Promoting active travel is one of the Council's key priority areas and the Planning Service has been leading on the implementation of a number of key projects. In October 2018 design work commenced on the Arcadia Park project in Kirkwall with the construction of a network of paths commencing in January 2019. Drop-in events to give the public a chance to talk over ideas for the future development of the Papdale East Playpark and Paths Network in Kirkwall were undertaken in February 2019, prior to design work commencing. A new circular route was also created in Summer 2019 at the Happy Valley Local Nature Reserve near Stenness opening up further areas of the reserve for visitors to explore.

In December 2019 the Orkney Heritage Society awarded the [Laura Grimond Award for Architectural Projects](#) an award established with the aim of encouraging and promoting excellence in the built environment of Orkney, to a property extension in Kirkwall town centre (53 Albert Street). The Society were particularly impressed with the large stone wall built to mask the utilitarian flat roof extension and highlighted that the Council Planning Service deserved a mention for working with the developer and encouraging the use of some of the architectural details.

<b>Case Study 3</b>	
<b>53 Albert Street, Kirkwall</b>	
<b>Location and Dates:</b>	
Kirkwall 2018 – 20	
<b>Elements of a High Quality Planning Service this study relates to:</b>	
<ul style="list-style-type: none"> <li>Quality of Outcomes</li> </ul>	
<b>Key Markers:</b>	
1	
<b>Key Areas of Work:</b>	
<ul style="list-style-type: none"> <li>Design</li> </ul>	<ul style="list-style-type: none"> <li>Town Centres</li> </ul>
<b>Stakeholders Involved:</b>	
<ul style="list-style-type: none"> <li>Authority Planning Staff</li> </ul>	<ul style="list-style-type: none"> <li>Local Developers</li> </ul>

**Overview:**

53 Albert Street is a shop with storage above located in Kirkwall Conservation Area, in Kirkwall town centre. The building is Victorian and historic photographs show a traditional shop front finished with polished granite, and typical door, window and fascia arrangement form that era. However, the building suffered decades of modern alterations including installation of a large tray fascia sign with acrylic lettering, gold-coloured aluminium frame windows, blue doors, and replacement of the stall riser and doorway recess with tiles.



*Shop front before works*



*Yard to rear of building before works, showing boundary wall in poor condition and building (with chimney stacks) obscured*

A two-storey wing to the rear, which also appears on the 1882 OS plan, extended into a private yard visible from a neighbouring public car park. That rear wing was rendered with cement. The yard was partly enclosed by a till stone boundary wall which was in poor condition and largely rendered with cement. The yard was filled by multiple modern sheds and other structures.

Related to a change in occupancy of the shop to a national retailer, and to retain that retailer and the associated vibrancy and footfall in the town centre, it was proposed to significantly increase the floor area of the shop. The initial proposal was to demolish the rear wing and all buildings and structures within the yard, and to replace those with a large, flat-roofed shop extension with rear access for loading.

The proposed large flat-roofed extension in the conservation area raised concerns, even if a rear elevation; however, the importance of maintaining a viable use for the building was acknowledged. The role of the planning authority was therefore to identify and negotiate adequate mitigation to facilitate the extension works, but at least preserve the character and appearance of the conservation area.

**Goals:**

1. Protect and enhance the character of the conservation area
2. Enhance the economic sustainability of the town centre
3. Make Kirkwall town centre a better place to live, work, and visit

**Outcomes:**

Removal of the modern sheds and structures was acceptable in principle. However, that made the rear wing with its cement render more readily visible. The first requirement of the planning authority was retention of the historic centrally located, rear wing, but the ground floor walls impeded the proposed open shop floor requirements of the retailer. The planning authority therefore agreed with the applicant the removal of the ground floor walls, with steelwork inserted to support the upper floors but creating an almost open shop floor below. On the basis that retained form was more visible, it was also negotiated that the rear wing should be re-pointed with a traditional lime mortar and new timber sliding sash and case windows installed.

The form of a flat roofed extension could not be accepted, even with a parapet or other simple detailing. Therefore, the planning authority required the careful down-taking of the stone boundary wall, and for it to be rebuilt using the original and matching new materials. That was to reinstate the sense of an enclosed yard, so the public view is of the stone boundary, not the flat-roofed floor area immediately behind it. On the basis the wall was in poor condition and largely cement rendered, the works represented an enhancement of that part of the conservation area.



*New stone boundary wall, screening flat roofed extension. Building now visible, and re-pointed, to rear of image*

Although no alterations were proposed to the shop frontage when first submitted, the planning authority also required some improvement of the main street frontage to provide the mitigation required for additional impact at the rear. These works were therefore added to the proposed works. This included replacement of the fascia with a traditionally proportioned painted fascia with individual metal letters, reinstatement of polished red granite stall risers to match the Victorian detailing, painted timber windows and doors, and a recessed central doorway which is a typical detail of the conservation area, with flagstone detailing in the recess.



*Shop front reinstated*

The role of the planning authority was critical in facilitating a scale of flat-roofed extension not normally supported in the conservation area, and thereby protecting the use of the building and creating footfall in the town centre, but managing the detailing to ensure the conservation is preserved overall. The negotiated additional works, including rebuilding of the stone boundary wall and in particular the historic shop front improvements ensured the works overall were an enhancement of the conservation area.

<b>Name of key officer</b>
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Jamie Macvie, Planning Manager, Development Management
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## b. Quality of service and engagement

In March 2019 we commenced a formal review of the Stromness Urban Design Framework to create a community led plan for the future of Stromness. A series of public consultation events were held in Stromness in May 2019 to help the local community develop their priorities and aspirations, and create a shared plan containing a vision and actions for Stromness for the next 5-10 years. The "[What Next for Stromness](#)" project was developed jointly between the Council, Stromness Community Council and the Stromness Community Development Trust and was facilitated by Planning Aid Scotland.

The Planning (Scotland) Act 2019 introduces the concept of Local Place Plans that may be prepared by community bodies and submitted to their local planning authority who in turn will have a responsibility to register the Place Plan and take it into account in the preparation of the Local Development Plan. In advance of the Scottish Government enacting secondary legislation and guidance, detailing how Place Plans should be considered by planning authorities, the Council have formally endorsed the Stromness Place Plan developed through the "What Next for Stromness" project, and will formally register it as a Place Plan once the relevant legislation is in place.

The Planning Service is assuming a leading role in reviewing the mechanisms to achieve increased economic benefit from the Heart of Neolithic Orkney World Heritage Site. The Planning Service has worked closely with Historic Scotland in the development of the [Heart of Neolithic Orkney World Heritage Management Plan 2014-19](#) launched in April 2014, and the Development and Marine Planning Manager is the joint Chair of the Management Board. A strategic masterplan for the World Heritage Site, looking in particular at key issues such as long-term visitor management, infrastructure provision and upgrades was approved by the Council in April 2019. The World Heritage Site Masterplan identifies five key projects for development – orientation centre; vehicle access and parking; footpath and active travel networks; interpretation facilities and other miscellaneous projects including charging points for electrical vehicles. In partnership with Historic Environment Scotland and Highlands & Islands Enterprise a feasibility study to explore options (physical, digital or other) and provide innovative ideas to enhance the visitor experience at the various sites was prepared by consultants in August 2018. Elements of the resulting Orkney Gateway report has informed the development of a World Heritage Masterplan to be presented to Council in April 2019. Public consultation on the development of an Active Travel Plan for Stenness and the adjacent World Heritage Area took place in April/May 2019 to find out if local people used active travel methods in the area and what facilities could be developed in the future to help them do this more often.

The Council facilitated two half day sessions at the beginning of March 2020 to allow both internal and external stakeholders to feed ideas into the Orkney response to the Scottish Government "Call for Ideas" consultation on the development of National Planning Framework 4.

Supplementary Guidance covering [Developer Contributions and Good Neighbour Agreements](#) was approved in September 2013. Feedback was sought during the Main Issues Report consultation on future options for seeking developer contributions, given that opportunities for seeking such contributions in Orkney are limited due to the small scale of development/developers. The last monetary figure secured through a developer contribution in Orkney was in 2011. We have continued with identifying developer contributions required to make a development acceptable in the LDP Settlement Statements and Development Briefs with the most recent included within the [Kirkwall South Development Brief](#). Further contributions required towards a limited number of strategic capital infrastructure projects will be identified in new Development Management Guidance to be prepared. However, we recognise the important role developers play in a fragile island economy, particularly in the continued challenging financial climate, so we will continue with our proportionate approach to developer funding.

In order to provide more certainty for developers we have approved the [National Roads Development Guide](#) and the [Landscape Capacity Study for Wind Energy in Orkney](#) as Planning Policy Advice.

We have prepared Supplementary Guidance on [Development Briefs and Design Statements](#) to provide more certainty for developers in terms of the levels of information required for these documents and where they are required.

In May 2018 we sought views on design for housing in the countryside to help shape new planning policy advice. Engagement events were held at a number of locations throughout Orkney with assistance provided by Architecture and Design Scotland. Public consultation on an updated version of the document was undertaken during May/June 2019. The main proposed changes were in respect of the definition of curtilage; the definition of a building or structure which could be replaced by a new house under the “one for one” policy; and details in respect of drainage for a new house. Following further refinement a follow-up public consultation on the draft document was undertaken in March/April 2020.

We have prepared a [Development Management Guidance Note](#) to provide clarity to Development Management Officers and developers in respect of the implementation of the Council’s affordable housing policy and guidance. In June 2019 we prepared [Development Management Guidance on Energy](#) to provide additional clarity on technical issues and interpretation of policies to be considered in the assessment of planning applications for wind energy developments.

The [Draft Planning Policy Advice: Amenity and Minimising Obtrusive Lighting](#) was published for public consultation in November/December 2019.

The Council has approved Development Briefs in place for 20 sites in Orkney. The most recent Development Brief for Upper Sunnybank, Stromness was issued for public consultation in November/December 2019.

In order to inform the development of fish farming in Scapa Flow we commissioned a capacity study to improve understanding of the water quality impacts arising from existing and proposed fish farms and establish an upper biomass limit for farmed fish. In October 2018 the Council approved the study - [Aquaculture Water Quality Impact Modelling Assessment for Scapa Flow](#) - and adopted the findings as Development Management Guidance to assist in the application of Local Development policy on fish farms. The project which marked the first use of hydrodynamic modelling by a planning authority for an aquaculture spatial strategy was shortlisted for a Scottish Award for Quality in Planning in 2019 under the “Plans” category.

We provide a good quality free pre-application advice service to members of the public including a 4 day/week duty officer to deal with public queries at the main office between 9-10am and 4-5pm. Outwith these hours officers planning officers are also available by appointment. Formal written advice is also provided. We also provide a duty officer service for the Development and Marine Planning service providing free advice 5 days a week, with no appointment needed. The Council operates a direct dial telephone system which allows improved and direct access to all Planning staff.

To aid quality of written pre-application submissions to Development Management, a pre-application form was developed and a specific page created on the Council website. The form is in an accessible format, and guidance is provided on the multiple ways for the information to be provided.

We continue to encourage customers to submit planning applications electronically. In order to make our office as paperless as possible we now only require one set of plans and supporting documents from applicants submitting an application in paper format.

Details of pre-application advice are recorded on our UNIFORM casework management system. Approximately two thirds (64%) of all planning applications were subject to pre-application advice. We provide a single point of contact for development proposals throughout the planning application process.

The availability of processing agreements is publicised on our [website](#) and we worked with NHS Orkney and the successful bidder for the new Orkney Hospital project to develop a processing agreements which was agreed in June 2016 and continued through 2018/19. As the scale of development in Orkney is not significant, opportunities for using processing agreements for major development is limited. A second processing agreement for the first national development in Orkney – the [Orkney Transmission Connection and Infrastructure Project](#) was signed with Scottish Hydro Electric Transmission PLC in June 2019. All the target dates outlined in the agreement were achieved.

We provide a "[Validation Checklist](#)" for applicants, which covers the majority of information required to be submitted with a planning application in order to try to reduce the number of invalid applications being submitted.

Faced with an increasing number of planning applications submitted with an accompanying Environmental Impact Assessment and lacking the capacity within the service to undertake detailed assessment of EIA documents we have employed an environmental consultancy to undertake peer review assessments. The first review of an EIA accompanying a major quarry planning application was completed in December 2019.

We have developed a standard set of model planning conditions.

Our [Planning Enforcement Charter](#) was updated and approved in November 2019.

We continue to have regular annual liaison meetings with key agencies (SEPA, SNH, Historic Environment Scotland, Scottish Water, Marine Scotland) and specific stakeholders such as architects/builders and the fish farming industry.

In June 2019 the Council, Historic Environment Scotland and Highlands & Islands Enterprise signed a Memorandum of Understanding to conserve the Heart of Neolithic Orkney World Heritage Site and enhance the visitor experience for tourists and local people. Designed to work alongside the existing World Heritage Site Management Plan, the Partnership, in

consultation with industry and other stakeholders will look at areas including visitor flow management, infrastructure and connectivity.

Together with Highlands & Islands Enterprise we commissioned a report into [Volume Tourism Management](#) which was completed in August 2017. We are now working in partnership with Destination Orkney, a new local Tourism Strategic Partnership body that will also include other key stakeholders to implement the recommendations of the report including the preparation of an Orkney Destination Management Plan and secure funding for tourism infrastructure improvements.

We are working in partnership with Scottish Natural Heritage and the Royal Society for the Protection of Birds to develop the [Orkney Native Wildlife Project](#) which is aimed at safeguarding Orkney's native wildlife by addressing the urgent issue of invasive non-native stoats.

Ensuring consistency between marine and terrestrial planning particularly for policies and projects which have significant implications for both marine and terrestrial environments is crucial for an Islands Authority. To achieve this the Planning Service works very closely with the Council's Marine Services in a number of areas. Work has been progressed on the development of an [Orkney Harbours Master Plan](#) which will assess current and future port infrastructure use demands and plan future investment for the next 20 years. The Planning service has led on drafting the brief for the consultants to prepare the master plan as well as playing a key role in the development of the plan itself. The plan which addresses the future growth and development of the key commercial harbour facilities at Hatston, Kirkwall, Lyness, Scapa Pier/Scapa Flow and Stromness was approved for public consultation in March 2019. Public consultation events took place in June 2019 and the Masterplan was approved by the Council in April 2020.

<b>Case Study 4</b>	
<b>Orkney Harbours Masterplan</b>	
<b>Location and Dates:</b>	
Orkney – March 2020	
<b>Elements of a High Quality Planning Service this study relates to:</b>	
<ul style="list-style-type: none"> <li>• Quality of outcomes</li> <li>• Quality of service and engagement</li> </ul>	
<b>Key Markers:</b>	
7, 10, 11, 12	
<b>Key Areas of Work:</b>	
<ul style="list-style-type: none"> <li>• Masterplanning</li> </ul>	<ul style="list-style-type: none"> <li>• Collaborative Working</li> </ul>
<b>Stakeholders Involved:</b>	
<ul style="list-style-type: none"> <li>• Key Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• General Public</li> </ul>
<b>Overview:</b>	
Orkney Harbours is one of the most diverse and successful council-run ports in the UK; it is the preferred location for Ship to Ship (STS) transfers of oil and gas at anchor within Europe's largest natural harbour; and is known as the cruise capital of the UK.	

Since 2017, Council’s Planning Service has worked in partnership with the Orkney Harbour Authority on the development of the Orkney Harbours Masterplan Phase 1 which was adopted in March 2020.

**Goals:**

1. To establish a strategic framework and vision that will guide future infrastructure investment
2. To safeguard and enhance the financial sustainability of the harbour business within the context of a competitive business environment.
3. To support and enhance the socio-economic prosperity and social well-being of local communities.
4. To safeguard and support the long-term productivity of the coastal and marine environment through best practice and strong environmental stewardship.

**Outcomes:**

The [Masterplan](#) provides a framework for the physical development and transformation of Orkney’s commercial harbours over a 20-year period and comprises significant harbour infrastructure developments at five locations on the Orkney Mainland:

- **Kirkwall Pier:** New multi-purpose quay infrastructure, along with marina, waterfront development area and improvements to traffic management and facilities.
- **Hatston Pier and Terminal:** New multi-purpose deep water quayside infrastructure and reclamation of land for development.
- **Scapa Pier:** Pier extension and dredging to provide deeper water, reclamation and development of land shoreside and marine leisure berths.
- **Scapa Deep Water Quay:** New deep-water infrastructure in Scapa Flow with 5+ hectares of laydown area.
- **Stromness:** Improvements to Copland’s Dock quay, marina expansion, cruise pontoon and improvements to shoreside area/traffic management.

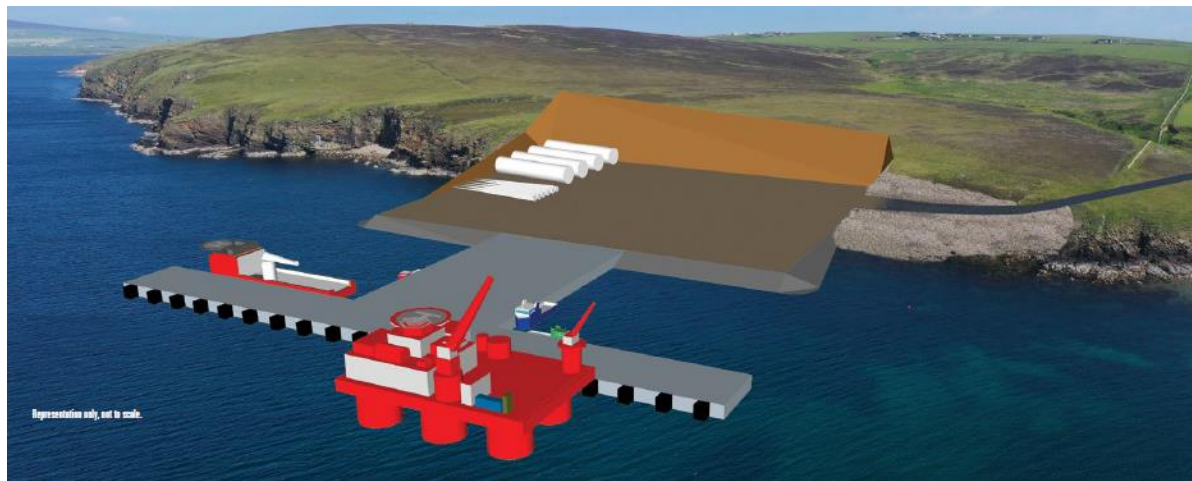
3.1 MASTERPLAN PROPOSALS

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The Masterplan demonstrates a joined-up approach between strategic planning for ports and harbours and local development planning. It supports and informs regional/local planning, economic development and transport policy helping to ensure that the proposals are fully integrated with the activities of wider partners.

This is a multi-disciplinary project combining economic appraisal, business planning, environmental and sustainability appraisal/assessment, land use planning, engineering, stakeholder & community engagement. As a result, the Masterplan is supported by a robust social, economic and environmental appraisal, and captures detailed community and stakeholder engagement. This includes a robust Outline Business Case, Strategic Environmental Assessment and Habitats Regulations Appraisal.

Now that the Masterplan has been adopted, the development projects are progressing towards implementation and have been put forward for consideration within National Planning Framework 4.



*Illustration: Scapa Deep Water Quay*

<b>Name of key officer</b>
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James Green, Senior Planner
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The Scottish Government announced in June 2017 that Orkney would be the next marine region to create a Marine Planning Partnership and develop a statutory regional marine plan. The Council is taking the lead role in the Marine Planning Partnership supported by local stakeholders representing the economic, environmental, community and recreational interests within the marine region. The Council's Development and Marine Planning team has been working with local stakeholders through 2018 to 2019 to plan for the future delivery of statutory marine planning in Orkney waters. In advance of progressing regional marine planning, the team is currently developing the Orkney Marine Environment Project which will improve the availability and accessibility of environmental, social and economic data for marine planning, management, education and awareness raising. Workshops to look at the process of marine planning in Orkney were held in Kirkwall and Stromness in September 2019.

Close collaboration is taking place between the Planning Service and other Council services in a key regeneration project being developed by the Council in Stromness where the former primary school and Old Academy buildings are being refurbished, updated and extended to create an [Orkney Research and Innovation Campus](#).

The Planning Service has worked closely with Development & Regeneration colleagues to identify projects which would benefit from grant funding provided by the Scottish Government to support town centres.

In March 2015 the Council commenced audio casting council committee meetings, including Development and Infrastructure meetings, which cover planning policy matters. In March 2019 the Council agreed that audio casting provision be extended to include meetings of the Planning Committee and the Local Review Body. The first live audio casts of meetings of the Planning Committee took place in 1 October 2019 and the Local Review Body on 22 January 2020.

In March 2017 the Council established a new public consultation group – [Orkney Opinions](#). This gives a group of Orkney residents the opportunity to comment and provide feedback on a range of topics. The Planning Service is now making regular use of this consultation forum with specific planning questions included in the second survey (October 2017) regarding development in the countryside; and the third survey (February 2018) regarding active travel as part of the review of the Kirkwall Urban Design Framework; and the eighth survey regarding the Orkney Native Wildlife Project. In February 2020 the Panel was issued with a survey to request their views and assist in providing an Orkney response to the “Call for Ideas” consultation on the development of National Planning Framework 4.

The Council has a [Complaints Handling Procedure](#) which provides a standard approach for dealing with customers who are unhappy with the service that they have received. In 2019/20 we received two “Stage 2” complaints about the Planning Service, one relating to alleged failure to take effective enforcement action which was subject to an external independent review with no major failings in the process identified by the review; and a further complaint relating to delays in determining a planning application which was partially upheld. The outcome of a third complaint submitted to the Scottish Public Services Ombudsman regarding the way the Council handled a number of planning consents in the East Mainland is still awaited.

### **c. Governance**

Following the Planning Act 2019 setting out a requirement for all local authorities either individually or collectively, to produce a Regional Spatial Strategy, the Council in February 2020 agreed to prepare an Orkney Regional Spatial Strategy rather than work with neighbouring local authorities to prepare a spatial strategy covering a wider geographical area.

During 2016 the Council commenced a Governance Review with a Review Survey undertaken amongst elected members and senior officers in March 2016. This covered a number of aspects including meeting cycles, delegation to officers and pre-determination hearings for the Planning Committee. A key outcome of the review was that constitutional arrangements for the Planning Committee were amended from 12 members of the Council, to two elected members from each of the six electoral wards. This is to avoid an instance where all the members in a particular ward could be appointed to the committee thereby restricting the availability of members to constituents in that ward with issues to raise in regard to planning applications. A comprehensive review of the Council’s [Schemes of Administration and Delegation](#) was completed in January 2018 which updated in more detail current policies, procedures and working practices of the Council, including the incorporation of the existing “hearings” process for the Planning Committee. Further delegation has been provided to officers in areas where a statutory consultation process has been undertaken and no objections have been received.

Following on from the Council elections in May 2017 an extensive training programme was undertaken with members of the Planning and Local Review Committees. This included an introduction to all new members to highlight the role of regulatory committees such as Planning, an overview of the Planning system in Scotland provided to the new committees, and bespoke Planning and Local Review Body training provided by external consultants. Other more specialised training has been provided to members of the Planning Committee by SEPA on Aquaculture Development and the role of SEPA and by A+DS on the role of architecture and design in the Planning process.

In preparation for determining its first ever national development which must be subject to a pre-determination hearing and determined by the Full Council governance arrangements were agreed by the Council in February 2019 for dealing with the Orkney Transmission Connection and Infrastructure Project. Additional training in Planning matters was also provided to all elected members in May 2019 (by Council Planning staff) and July 2019 (by an external planning legal specialist). The application for the erection of a substation and associated plant, infrastructure and buildings on land to the south west of Finstown was approved by the Council on 1 October 2019.

We have a Planning Committee dedicated to dealing with planning applications which meets on a 4 to 6 weekly basis except in August which is the Members recess. The number of planning applications delegated to officers at 93.4% is only narrowly less than the Scottish average of 96.3%.

A separate Development & Infrastructure Committee deals with all development and marine planning policy issues and meets 5 times per year.

A process for streamlining the procedure for the [preparation of Planning Policy documents](#) was agreed by the Council in February 2017. The revised procedure will reduce the number of draft documents being presented to committee for formal approval prior to public consultation. This has reduced the volume of reports being presented to elected members as well as reducing the timescales for the preparation and approval of planning documents.

We adopted a policy of undertaking site inspections for all local review cases in June 2014, in order to reduce delays in the decision-making process. The Local Review Committee now meets as and when required with site inspection undertaken on the same day as the meeting. The average time for determining local review cases in 2019/20 was 11.0 weeks, compared to 11.3 weeks in 2018/19.

We have a Planning & Regulatory Services Consultative Group which is a member/officer Working Group set up to provide a less formal forum to discuss in particular progress with the Local Development Plan and other Plans falling within the remit of the service, as well as other performance related matters. This allows open discussion between Members and Officers and helps guide the strategic direction and policy approach of the various plans.

There are effective communication channels in place from the Senior Management Team, Corporate Management Team, Directorate, Heads of Service down to individual teams. Planning, Development and Regulatory Managers meet on a quarterly basis with Development Management and Development & Marine Planning team meeting every 2 months.

We hold a 6 monthly Development & Infrastructure Managers Away Day to improve cross-service communication and awareness of cross cutting projects and professional capabilities.

We have a fully integrated planning service under a single Head of Service post with 2 Planning Managers - one covering Development Management and the other responsible for Development and Marine Planning.

There is a close working relationship between Development Management and Building Standards functions. In order to assist with the monitoring of planning conditions we are using Building Inspectors to undertake a limited role in checking pre-commencement conditions in respect of access roads for developments of up to 4 houses and the demolition of existing derelict or ruinous buildings.

A multi-disciplinary project team, comprising officers from the Planning, Roads, Design, Development and Engineering services, has been involved in designing and implementing public realm works within Orkney. Planning is also represented on multi-disciplinary teams dealing with House Build Programmes, Housing Market Partnership, Housing Forum to assist the development of the Council's house building project; the Ports Masterplanning team to assist in planning for future harbours infrastructure; and in a Sustainable Transport officer group to plan for the development of active travel projects.

There have been strong working relationships developed across the Council with a Renewables, Regeneration and Community Benefit Project team involving Planning established to explore options for generating income for the Council from renewable energy projects. The Council agreed in June 2016 the principle of the Council assuming the role of project developer of onshore wind farm projects. Two options are currently being progressed – the Council acting as a developer of a scale wind farm for direct export to the National Grid, and the Council acting as the developer of a private wire onshore wind energy project to supply Council-owned properties in Kirkwall. Feasibility, planning and technical appraisals are being undertaken with support and input being provided by the Planning Service. A planning application for the Council's first wind farm (6 turbines) at Quanterness on the edge of Kirkwall was submitted in January 2020.

The Planning Service is also represented on the Strong Communities and Vibrant Economy Delivery groups of the [Community Planning Partnership](#). The Planning Service has worked closely with colleagues in Corporate Services to widen the use of the Place Standard for consultation and analysis of local communities across Orkney and develop new Locality Plans under community planning.

Through the “Empowering Scotland’s Island Communities” project we are working with the two other Islands Councils to identify opportunities for devolving more powers related to marine and terrestrial planning to a local level.

The Council has worked with partners in seeking amendments to strengthen the [Islands Bill](#) as it progressed through the Scottish Parliament. Of relevance to the Planning Service was an amendment which was passed at Stage 3 of the Bill in May 2018 to allow local authorities to be sole delegate for the delegation of functions related to regional marine plans in instances where the local authority have difficulty in finding a partner. This amendment will make it easier for the Council to establish a Marine Planning Partnership to deliver future statutory Regional marine planning in Orkney.

Together with the Scottish Government and the other local authorities with Islands we undertook a process of “island-proofing” the [Planning Bill](#) which resulted in the publication of an Island Proofing Statement to accompany the Bill as introduced in the Scottish Parliament. Further consideration of the impact Stage 2 amendments to the Planning Bill on the islands were considered at a meeting with the Scottish Government in March 2019.

Following the transfer of the Crown Estate’s management duties in Scotland to Crown Estate Scotland (CES) in April 2017, the Council has been developing a proposal under a new pilot scheme launched by CES that will allow local authorities and other bodies to apply to manage assets in their local area. Following a successful Stage 1 application in August 2018 the Council submitted a Stage 2 application to the pilot scheme in March 2019 and it was announced in June 2019 that the project was one of four selected to move to the final stages of the Local Pilots Management Scheme. The Council’s proposal is for local decisions on seabed leases in Orkney waters to be made by Orkney Islands Council through a process of significant engagement with an Orkney Islands Marine Planning Partnership. The Council would lead the partnership with advisory support from stakeholders with commercial, environmental, community and recreational interests in local waters. The Development and Marine Planning team have played a key role in developing the application.

We operate a monthly budget monitoring system which ensures managers are well aware of budgetary positions. Quarterly Revenue Expenditure Monitoring Reports on each service are presented to service committees on a quarterly basis. The Planning Service is represented on the Capital Planning and Asset Management Team established to monitor the Council’s Capital Programme and improve procedures for the future delivery of the programme.

Consideration has been given by the Planning Service to opportunities for generating additional income to help offset budget cuts and in April 2019 a new charge was introduced for variations to planning permissions.

A comprehensive [Travel Policy](#) to cover travel by Council staff and elected members was approved by the Council in September 2016. The new procedures simplify and streamline the administration process for booking travel and claiming expenses, and result in reduced costs and savings to the Council, particularly in relation to travel outwith Orkney.

#### **d. Culture of Continuous Improvement**

The Council has adopted the “How Good is our Council” self-assessment tool in order to identify areas for improvement. Previously undertaken in 2012 a further self-evaluation of all Council services including the Planning & Regulatory service was undertaken during 2015. Services commenced a third self-assessment process at the start of 2019 with the outcomes being fed into updated Service Plans. The Development and Infrastructure Service Plan (2019-22) was approved in September 2019 and as well as identifying Council level improvements and developments within the Council Delivery Plan also identifies agreed service priorities for the Planning Service to be progressed within agreed budgets and within the life of the service plan.

Key performance indicators relating to the Planning Service are monitored and reported to the Development and Infrastructure Committee every 6 months.

The Planning Performance Framework is reported to the Planning and Regulatory Services Consultative Group which included members of the Development and Infrastructure and Planning Committees.

The IDOX Enterprise module is used to assess performance and workloads in the Development Management service.

The Planning Service was included in the Development and Infrastructure Workforce Plan 2017-22 which was agreed by the Council in February 2017. A Service Learning Plan was completed in March 2018 which identified a number of training needs for the Planning

Service including GIS, Marine Spatial Planning and RTPI accredited training for Graduate Planners.

The Council's Employee Review and Development system has been implemented within the Planning service with all staff being appraised on an annual basis.

All Planning staff attend regular training events or seminars/conferences/forums that contribute to Continuing Professional Development (CPD).

The Development and Marine Planning Team delivered a RPTI CPD event on Coastal and Marine Planning in Inverness in November 2019. A member of staff attended facilitation training provided by the Kinharvie Institute, Glasgow and another member of staff is in a course of study which will lead to an MSc in Environmental Protection and Management

From Development Management during 2019/20, both Senior Planners attended an aquaculture seminar with other affected authorities. One of the Planning technicians attended a formal training event on the basics of planning. A Graduate Planner who is developing expertise in historic buildings attended a practical training course on the use and application of lime mortars.

We actively participate in Heads of Planning Group and Sub-groups where issues of best practice are continuously being discussed. We also participate in the National Development Plans Forum, North of Scotland Development Plans Forum, National Enforcement Forum, Local Authority Urban Design Forum and the joint Local Authority Aquaculture Planning group. We continue to share good practice (primarily by e-mail) with other local authorities in the HoPS rural authorities benchmarking club.

The two legacy cases not cleared from 2018/19 are Council applications (alterations to a new school and a major housing development) and were awaiting further information. The two additional legacy cases are also Council (a care home with housing infrastructure, and the expansion of a quarry). Information is pending for all four applications.

The Planning Service has embraced new technology by acquiring a commercial drone and training an Officer to pilot it to NATS standards. The technology is used as a valuable aide in site analysis, application evaluation and for planning and access enforcement, especially in more remote and hard to reach places.

The use of on-line interactive mapping technology has been developed to allow users of our Energy and Aquaculture Supplementary Guidance to have more accessible information in relation to potential constraints and sensitive areas in regard to wind farm and fish farming developments. We have also published our adopted [Local Development Plan](#) and annual [Housing Land Audit](#) as interactive documents for the first time.

## 2. Supporting Evidence

Part 2 of this report was compiled, drawing on evidence from the following sources:

- The Council’s “How Good is our Council” performance self evaluation & assessment;
- [Planning, Development & Infrastructure](#), and [Policy & Resources](#) Committee reports;
- Corporate Improvement Plan;
- The [Council Plan 2018-2023](#) and the [Council Delivery Plan 2018-2023](#)
- [Development and Infrastructure Service Plan \(2019-March 2022\)](#);
- [Service Plan Monitoring Reports](#)
- [Development Plan Scheme 2019](#)
- Monitoring Statement – The Review and Monitoring of the Orkney Local Development Plan – March 2015
- Planning Managers meetings; and
- Scottish Government Planning Liaison meetings.
- Orkney Islands Council [Performance Information](#)

### Qualitative Narrative and Case Studies

Case Study Topics	Issue covered in PPF9	Case Study Topics	Issue covered in PPF9
Design	✓	Interdisciplinary Working	
Conservation		Collaborative Working	✓
Regeneration	✓	Community Engagement	
Environment		Placemaking	✓
Greenspace		Charrettes	
Town Centres	✓	Place Standard	
Masterplanning	✓	Performance Monitoring	
LDP & Supplementary Guidance		Process Improvement	
Housing Supply		Project Management	
Affordable Housing		Skills Sharing	
Economic Development		Staff Training	
Enforcement		Online Systems	
Development Management Processes		Transport	
Planning Applications		Active Travel	✓
Other:			

### **3. Service Improvements: 2020-2021**

In the coming year we will:

#### **Quality of Outcomes**

1. *Complete preparation of a Conservation Area Regeneration Scheme for St Margaret's Hope;*
2. *Develop revised Locational Guidance for Business Development in the Countryside;*

#### **Quality of Service and Engagement**

3. *Arrange for additional staffing or consultancy support for the long-term assessment of Environmental Impact Assessments.*
4. *Re-introduce a Planning Customer Survey to allow applicants to formally comment on quality of decision-making and raise any issues they experienced with their applications;*
5. *Re-instate the Stakeholders Forum to provide a focus for discussion and issue raising to jointly develop improvement and efficiencies*
6. *Provide validation training for local agents involved in submitting planning applications;*

#### **Governance**

7. *Consider, assess and appoint to the role of Chief Planning Officer (as set out in the Planning Act 2019 as a statutory requirement);*
8. *Establish the Orkney Islands Marine Planning Partnership*

#### **Culture of Continuous Improvement**

9. *Develop a detailed workforce plan/succession planning arrangements for the Planning Service.*

## Delivery of our service improvement actions in 2019-20:

Committed improvements and actions	Complete?
<p><b>Quality of Outcomes</b></p> <ol style="list-style-type: none"> <li><i>Undertake preliminary work to allow preparation of a Conservation Area Regeneration Scheme for St Margaret's Hope;</i></li> <li><i>Develop revised Locational Guidance for Business Development in the Countryside;</i></li> </ol>	<p><i>Post of Assistant Planner (Historic Environment) to undertake work recruited in January 2020</i></p> <p><i>Still outstanding – delayed due to workload pressures/staffing capacity</i></p>
<p><b>Quality of Service and Engagement</b></p> <ol style="list-style-type: none"> <li><i>Establish and recruit a new 2-year temporary Planner post to relieve workload pressures in the Development Management team</i></li> <li><i>Establish and recruit Marine Planner and Planning Policy Support Officer to deliver statutory regional marine planning function and the operational aspects of the Marine Planning Partnership;</i></li> <li><i>Provide validation training for local agents involved in submitting planning applications;</i></li> </ol>	<p><i>Delayed as a result of COVID-19. Interviews to take place in August 2020.</i></p> <p><i>Temporary post of Marine Planner established in July 2019 for period to March 2021. Recruitment to Planning Policy Support Officer has not been successful.</i></p> <p><i>Still outstanding as an organised event – delayed due to staffing pressures. However, some individual training was provided throughout the year on request</i></p>
<p><b>Governance</b></p> <ol style="list-style-type: none"> <li><i>Deliver Planning training to all elected members in preparation for the Council determining its first ever national development;</i></li> </ol>	<p><i>Completed - Additional training in Planning matters provided to all elected members in May 2019 (by Council Planning staff) and July 2019 (by an external planning legal specialist).</i></p>
<p><b>Culture of Continuous Improvement</b></p> <ol style="list-style-type: none"> <li><i>Develop a workforce plan/succession planning arrangements for the Planning Service</i></li> </ol>	<p><i>Development &amp; Infrastructure Service Plan approved in September 2019 including a workforce plan detailing high level priorities and actions for the whole service including Planning. Detailed Workforce Plan for Planning to be prepared in line with direction provided in Service Plan</i></p>

## 4. National Headline Indicators

### a) Development Planning

Key Outcomes	2019/2020	2018/2019
Age of Local Development Plan (years and months) at end of reporting period	2 years and 11 months	1 year and 11 months
Will the local development plan be replaced by its 5 <sup>th</sup> anniversary according to the current development plan scheme?	Development Plan Scheme delayed due to COVID-19	Yes
Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year?	Not applicable	Not applicable - current Plan less than 2 years old
Were development plan scheme engagement/consultation commitments met during the year?	No major commitments made as a result of the review of the Planning system	Yes – no major commitments made as result of the review of the planning system

Effective Land Supply and Delivery of Outputs		
	2019/2020	2018/2019
Established housing land supply	1657 units	1653 units
5-year effective housing land supply programming	1585 units*	1569 units
5-year effective housing land supply total capacity	1657 units	1480 units
5-year housing supply Target	539 units	539 units
5-year effective housing land supply	14.7 years	13.73 years
Housing approvals	164 units	125 units
Housing completions over the last 5 years	692 units	673 units
Marketable employment land supply	70.7ha	72.7ha
Employment land take-up during reporting year	0	2.0 ha

**\*This figure has increased from last year. In 2018/2019, there were a number of sites that were constrained. At that time, no solution was in place so we were unable to say that they could be developed within the next 5 years. However, as a solution has now**

been programmed, the constraint can be lifted as developed within the next 5 years is possible.

Figures correct as at 31<sup>st</sup> March 2020.

## b) Development Management

<b>Project Planning</b>		
	<b>2019/2020</b>	<b>2018/2019</b>
Percentage and number of applications subject to pre-application advice	64%	63%
Percentage and number of major applications subject to processing agreement or other project plan	N/A	N/A
<b>Decision Making</b>		
Application approval rate	96.0%	96.1%
Delegation rate	93.1%	96.2%
Validation	38% valid on receipt	56% valid on receipt
<b>Decision-making Timescales</b>		
Average Number of Weeks to a decision:		
Major Developments	N/A	32.6
Local Developments (non- householder)	9.9	8.4
Householder Developments	6.6	6.7
<b>Legacy Cases</b>		
Number cleared during reporting period	1	1
Number remaining	4	3

## c) Enforcement Activity

<b>Enforcement activity</b>		
	<b>2019-20</b>	<b>2018-19</b>
Time since enforcement charter published/reviewed (full years)	8 months <a href="#">Enforcement Charter</a>	16 months
Complaints lodged and investigated	4 enquiries or complaints received and investigated	20 enquiries or complaints received
Breaches identified – no further action taken	Action taken in 9 of the 11 cases	60 total investigated (including the 20 above) 12 no further action

Cases closed	8	28
Notices served	1	10
Direct Action	0	0
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

## d) NHI Key outcomes - Commentary

### Commentary

#### Development Planning

The previous Orkney Local Development Plan was adopted by the Council in April 2014. Significant progress was made on the Local Development Plan Review during 2016/17 with the Proposed Plan published for public consultation during May and June 2016. Following public consultation the Proposed Plan and unresolved issues were submitted to Scottish Ministers for Examination in September 2016. The Examination Report which detailed the conclusions of the Reporter was received in January 2017. In March 2017 the Council agreed to advertise the Council's intention to adopt the Orkney Local Development Plan 2017 having incorporated the modifications proposed by the Reporter and the Plan was formally adopted on 18 April 2017 along with all six supplementary guidance documents that were detailed within the Plan.

The current Development Plan Scheme 2019 was approved by the Council in February 2019. In light of the changes anticipated to the Planning system as a result of the Planning Act 2019, and the fact that the current Plan is up-to-date the Council does not anticipate progressing a further review of the Plan until the revised system is established under the new Planning Act, focusing primarily upon monitoring the performance of the plan policies and developing Placemaking/Masterplan documents for Orkney's settlements.

#### Development Management

The average decision time for householder applications improved from 6.7 weeks in 2018/19 to 6.6 weeks in 2019/20. 7.1 in 2017/18 (and 9.1 in 2016/17), to 6.7 in 2018/19. That is lower than the Scottish average of 7.3 weeks.

The figure for all local development was slower than 2018/19, but at 9.1 weeks matches the Scottish average.

Four complex marine applications affected the overall figures. These comprised three finfish applications, submitted with an EIA, which had an average determination period of over 24.3 weeks, and a shellfish application 23.9 weeks.

EIA caseload had a significant impact on staff resources, with applications under consideration for aquaculture, wind energy, electricity transmission and minerals. Given the relatively small size of the Development Management team, it is a challenge to manage resources when multiple large applications are submitted on top of the normal application caseload, often without advance notice in order to have resources in place.

Aquaculture development continues to require significant resources generally, including over the reporting period and in addition to the applications noted above, marine screening and scoping submissions, marine prior notifications, and marine consultations from Marine Scotland. All of that requires significant staff time and specialist knowledge.

Development Management also has responsibility to carry out Habitats Regulations Appraisals and Appropriate Assessment, which will often require periods of significant officer time and specialist knowledge.

This demand has been managed alongside normal caseloads in previous years with little effect on overall figures. But the pause in the continued improvement in determination periods evident in previous years is a symptom of the varied nature and significant increase in specialist environmental submissions. This is the catalyst for the intended appointment of environmental consultants to assist with specialist environmental work.

Development Management determined a National development for the first time during 2019/20, for a new electricity substation as part of a larger project to improve the electricity connection from Orkney to the national grid. This required significant resources.

Consideration of an EIA minerals application continued throughout the reporting period. And Development Management administered the early stages of a wind farm planning application by the Council, part of a community wind farm project, as well as the referral of the application to DPEA following Ministerial call-in.

There is a continued lack of uptake by developers of processing agreements, despite their use being promoted. This is likely due to the relatively small pool of agents and developers that carry out most work within Orkney. Development Management maintains an open relationship with the construction industry, both agents and contractors, generally through advice, and also in relation to progress or complications with submitted applications, so that availability and willingness to provide updates by the Council will provide many of the assurances that developers elsewhere would seek through a processing agreement.

The listed building stock in Orkney and the relatively high numbers of properties located within conservation areas result in significant resources being allocated to historic environment advice provided by Development Management, and listed building consent applications make up approximately 9% of the total caseload.

### Enforcement

Enforcement activity dropped from 113 cases investigated in 2017/18 to 60 in 2018/19, explained by the Planning Control Officer post being vacated during 2018/19. The post has been advertised on multiple occasions since then, but not filled. As such, enforcement cases investigated dropped again to 11 cases in 2019/20. Given other pressures on staff, activity has therefore been limited to the most urgent cases only. Potential enforcement casework continues to be logged for consideration once the post is filled.

The number of formal notices served increased from 5 to 10, all of which were served in the first 6 months of the reporting period while the Planning Control Officer was in post.

## 5. Scottish Government Official Statistics

### A: Decision-making timescales (based on “all applications” timescales)

Category	Total number of decisions 2019-2020	Average timescale (weeks)	
		2019-2020	2018-2019
<b>Overall</b>			
<b>Major developments</b>	0	N/A	32.6
<b>Local developments (non-householder)</b>			
• Local: less than 2 months	117	7.1	6.7
• Local: more than 2 months	83	13.8	11.9
<b>Householder developments</b>			
• Local: less than 2 months	53	6.2	5.8
• Local: more than 2 months	8	9.7	10.9
<b>Housing Developments</b>			
<b>Major</b>	0	0	0
<b>Local housing developments</b>			
• Local: less than 2 months	58	7.1	6.8
• Local: more than 2 months	37	12.6	11.5
<b>Business and industry</b>			
<b>Major</b>	0	0	0
<b>Local business and industry</b>			
• Local: less than 2 months	28	7.1	6.5
• Local: more than 2 months	25	13.8	11.5
<b>EIA developments</b>	3	24.3	32.2
<b>Other consents*</b>	57	6.3	6.0
<b>Planning/legal agreements**</b>			
• Major: average time	N/A	N/A	N/A
• Local: average time	N/A	N/A	9.1

\* Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 & relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPDO.

\*\* Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973

**B: Decision-making: local reviews and appeals**

Type	Total number of decisions	Original decision upheld			
		2019-2020		2018-2019	
		No.	%	No.	%
Local reviews	4	1	25	9	44.4
Appeals to Scottish Ministers	3	0	0	2	50.0

**C: CONTEXT**

Overall, the average decision for all local development applications matches the Scottish average of 9.1 weeks. That is supported by an improvement in timescales for householder applications from 6.7 to 6.6 weeks.

## 6. Workforce Information

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning Service			1.0	

Staffing Age Profile	Headcount
Under 30	2
30-39	5
40-49	6
50 and Over	6

RTPI Chartered Staff	Headcount
Chartered Staff	7

### Planning Service

The Planning Service is incorporated within the Planning, Development and Regulatory Service which also includes, Building Standards, Environmental Health, Economic Development, Business Gateway, EU and Leader programme, Regeneration including Kirkwall THI, and Trading Standards. There are two distinct teams within the Planning Service each with a separate manager - Development Management, including Enforcement and Development and Marine Planning which covers marine and terrestrial planning policy. There are 10 posts in the Development Management team and 11 in the Development & Marine Planning function.

## 7. Planning Committee Information

Committees & Site Visits	No. per year (2019-20)
Full Council committees	1
Planning Committees	7
Area Committees (where relevant)	n/a
Committee site visits	2
Local Review Body	4
Local Review Body site visits	5

# Planning Services Structure

