

**Special Development Committee
Council Chamber, Town Hall, Lerwick
Friday 14 December 2012 at 10am**

Present:

A Cooper	T Smith
M Burgess	S Coutts
B Fox	A Manson
A Westlake	

Apologies

F Robertson	G Robinson
M Stout	

In Attendance (Officers):

N Grant, Director of Development Services
I McDiarmid, Executive Manager - Planning
J Riise, Executive Manager - Governance and Law
A Taylor, Team Leader - Development Plans and Heritage
L Adamson, Committee Officer

Chair:

Mr A Cooper, Chair of the Committee, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interest

None

76/12 Shetland Local Development Plan – Proposed Plan

A report by the Team Leader – Development Plans and Heritage (Report No: PL-25-12-F) provided an update on the Shetland Local Development Plan.

The Team Leader – Development Plans and Heritage reported that at the end of the period for representations, on 13 December at 5pm, approximately 80 representations had been received. He advised that the majority of representations from individuals related to individual sites, and the main concerns from the statutory consultees related to individual policies or to the LDP in general. The Team Leader advised that the content of the representations are to be considered on an issue by issue basis, which will involve discussions to resolve issues and responses sent to the people who submitted the representations.

The Team Leader advised that following consideration of the representations he would report in February on the proposed way forward. The Team Leader added that in terms of the Strategic Environmental Assessment (SEA) to accompany the LDP, he was in discussion with SEA Gateway as to whether revision is required, which will be dependant on the modifications that the Council decide to make to the LDP.

In response to a question, the Team Leader advised that the concerns raised earlier in the process relating to proposals for Gulberwick and Scalloway would be considered together with all the other representations, and decisions would be made as to whether or not to accept the representations, and the extent of changes to be made to the LDP.

(Mr Burgess attended the meeting).

In response to a question relating to progress with the Supplementary Guidance – Renewable Energy, it was confirmed that work was ongoing on this document, however no timescale for completion of the SG – Renewable Energy had been agreed. The Team Leader explained that the SG documents could not be adopted until the LDP is approved, and at best if prepared SG could be considered as an emerging Policy. He confirmed that an update on progress with the SG documents would be reported to Committee in February.

In response to a question, the Team Leader explained that no amendments would be made to the LDP until such time as the report is presented in February, which will inform on the proposed timescale for revisions that may be considered appropriate to the LDP. He advised however, that any significant changes to the SEA could delay the LDP process.

In response to questions, the Team Leader explained that planning applications for proposed developments within Areas of Best Fit and Areas with Development Potential would be determined in terms of the existing planning framework, where the principles of development have been established, and where services and facilities are known to exist. Proposed developments outwith Areas of Best Fit and Areas with Development Potential will be assessed subject to current policy framework or the new LDP, when in place. The Team Leader clarified that in relation to applications for proposed developments within Areas of Best Fit objections from Community Councils would be considered and taken into account together with all other material considerations in making the decision on an application.

The Team Leader advised that the issue of housing in the central part of Shetland will be addressed in the Spatial Strategy, and reported to Committee and Council in mid 2013.

Decision:

The Committee **NOTED** the contents of the report.

77/12

National Planning Framework 3: Call for National Developments

The Committee considered a report by the Team Leader – Development Plans and Heritage (Report No: PL-24-12-F), which outlined the requirements placed on the Council by the Scottish Government regarding involvement in the formulation of National Planning Framework 3 (NPF3).

In introducing the report, the Team Leader – Development Plans and Heritage advised on the Shetland Subsea Electricity Transmission Link (SHETL) project to be put forward to the Scottish Government for inclusion in the NPF3, and on the local key issues considered of significance, but with no projects developed to date, to be included in the Council's submission.

In response to questions, the Team Leader explained that the current consultation on the NPF3 allowed the Council preliminary involvement, however he confirmed that there would be a further opportunity to comment on the NPF3 during the consultation on the Main Issues Report (MIR), where a longer period of consultation was envisaged.

During the discussion, the Team Leader confirmed the SHETL project had been included in NPF2, however the project had to be restated at this time as the circumstances of the project may have changed since submission to NPF2.

Mr Fox reported on the need for planning application fees to be increased in Scotland, particularly in regards to larger developments, which would include the SHETL project. The Executive Manager - Planning advised on the Scottish Government's proposal to increase planning fees particularly for larger scale developments, which was to follow an overall increase in performance throughout Scotland. He said that although performance has improved in Shetland in regards to processing planning applications, there has not been a noted increase in performance in Scotland, and therefore the Minister for Local Government and Planning had stated that politically it would be very difficult to increase planning fees. The Executive Manager - Planning went on to advise that he had been asked to provide a briefing note to the Scottish Ministers on the Planning Service's recent improvement in performance to be reported to CoSLA. The Executive Manager - Planning advised that he had not heard any outcome from the CoSLA meeting, however it was hoped that there could be a 10%-15% increase in planning fees.

In response to further comments, the Executive Manager - Planning confirmed that all relevant information including the cost of processing applications, and running the Planning Service, had been passed to the Scottish Ministers to strengthen the case to increase planning fees.

In response to comments, the Team Leader advised that the Lerwick Power Station and the Gas Pipeline from Sullom Voe to Lerwick had not been included for submission in NPF3 as although major developments, the extent of the projects are not known at this time. He added that there would be a further opportunity to consider the projects for inclusion in NPF3 during the consultation process on the MIR.

In response to a question, it was advised that developments at Dales Voe had been considered as a project for inclusion in the NPF3, however it had been agreed not to recommend for inclusion at this time. Had the project been accepted as a national project, all developments in the area would have to be determined by the Scottish Government rather than at local level, it would make the process more bureaucratic and could cause delays for economic development projects. It was confirmed that the potential for shore-based decommissioning around Lerwick harbour had been included in the Council's submission of key issues, which would highlight the importance of decommissioning at a local and national level.

Ms Manson moved that the Committee approve the recommendations contained in the report. Mr Coutts seconded.

Decision:

The Committee **RESOLVED** to:

- Agree the project to be recommended to the Scottish Government for inclusion in NPF3;
- Agree to give delegated authority to the Executive Manager Planning to complete and submit the proposals form; and
- Agree to the joint submission of key issues with the Convention of Highlands and Islands (COHI) Authorities.

The meeting closed at 10.40am.

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Chair