

# MINUTE

# A & B – Public

**Special Development Committee**  
**Council Chamber, Town Hall, Lerwick**  
**Tuesday 16 July 2013 at 10 a.m.**

**Present:**

A Cooper	M Burgess
S Coutts	A Manson
F Robertson	T Smith
M Stout	

**Apologies**

B Fox	G Robinson
-------	------------

**In Attendance (Officers):**

I McDiarmid, Executive Manager – Planning  
A Taylor, Team Leader – Development Plans and Heritage  
H Taylor, Planning Officer  
K Marshall, Solicitor  
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.

**34/13      National Planning Framework 3: Main Issues Report**

A report by the Team Leader – Development Plans and Heritage (PL-12-13-F) presented the Council's proposed response to the consultation by the Scottish Government on the National Planning Framework 3 (NPF3).

The Team Leader summarised the main terms of the report, and referred Members to the most significant comments being made on the consultation set out in Section 10 of the proposed response, relating to suggested Areas of Co-ordinated Action (AoCA). He said that in regard to Section 10.2 the intention was now to change the order of the issues listed under the proposed Island Arc AoCA so that No. 8 "Building long-term community, economic and infrastructure resilience ....." is moved to the top of the list.

Mr Robertson commented on the significance of Shetland's energy in relation to the British economy, and the importance of having Shetland's energy factored into the NFP. The Team Leader advised that the NPF3 deals more with specific infrastructure projects that can be identified and planned, and in the Shetland context this would include the interconnector, rather than a mass of activity around energy. He added that the NPF recognises that Shetland is of strategic importance in planning for energy, however it would be difficult to identify specific projects in this field.

Mr Stout commented on the vagueness of some of the terms used within the NFP3. The Team Leader confirmed that the Council's response at Section 4.3 highlighted that a number of phrases are very similar and can be interpreted in various ways and indicated that clarity is required.

In response to questions, the Team Leader advised on the case put forward for aligning the Area of Co-ordinated Action between Aberdeen city and shire and Shetland, which will build on the strong links already in place. He reported on the positive support received from the other island authorities for the Island Arc AoCA, to include Shetland, Orkney, Western Isles and Argyll and Bute. Mr Burgess said that he welcomed the inclusion of coastal management as a key issue of the Island Arc, as that would encompass aquaculture.

Mr Stout commented that he endorsed the comments in the response regarding the need for further clarity on future requirements for wind turbines. The Team Leader advised that this was an area where more detail is crucial.

During the discussion, some inaccuracies were noted within the NPF3, which included that part of Shetland had been missing from a map. In the list of 16 top ports, which included both Sullom Voe and Lerwick, it was noted that 'Orkney' had been named as a port, rather than specifying the actual port(s) by name in Orkney.

The Chair said that he considered the key issues for the AoCA within the NFP3 to be based around what is happening at the moment, rather than being forward looking. He said that although he was aware the NPF3 is to be reviewed every 5 years he had hoped for a more futuristic content. He said it was important to understand and recognise that the hub of the Islands Arc is around Shetland, and that Shetland is part of that co-ordinated action.

Mr Robertson said that with the vision for the new Planning Act on hierarchy of developments with the strategic plan for long-term development and protection of the environment for Scotland for the next 20 to 30 years, he had been disappointed that the NPF3 has not been more definitive in its terminology and vision. Mr Robertson questioned the lack of reference within the NPF3 to aquaculture, particularly with the Scottish Government's objective to expand the aquaculture sector in Scotland and how important the sector is to many areas of Scotland. Mr Robertson concluded by commending the Team Leader for the work undertaken in forming Shetland's case in regard to the NPF.

During the discussion, comments were made as to whether the timing of this document and to the vagueness of its content was in some way related to the upcoming independence referendum for Scotland.

The Team Leader commented that he had found that the NPF does not clearly show where progress has been made on objectives that have changed, or how the Scottish Government intend to achieve the targets, and he had found it difficult to compare the NPF2 with the NPF3.

The Executive Manager advised that much of the observations provided by the Planning Service during the previous consultation are now included within the NPF3, with a number of references made to Shetland, and that Shetland's position would appear to be highly influential and important. He referred to the work undertaken by the Planning Service in regard to the proposed AoCAs, which he

hoped the Scottish Government would take onboard during the next stage of the NPF.

It was suggested, given the importance of the NPF to Shetland, that dialogue should be taking place with Scottish Government officials. The Executive Director reported on the various meetings that have taken place with the NPF3 team, however he confirmed that the team had not visited Shetland. The Executive Manager advised that he had attended a number of the meetings to push the case for Shetland, and he added that from informal discussions with Scottish Government officials in regard to the proposed AoCAs there would appear to be general support for the proposals.

Mr Robertson moved that the Committee approve the recommendation in the report, taking into account the change at Section 10.2 as advised during the introduction of the report. Mr Stout seconded.

#### **Decision:**

The Development Committee **RESOLVED** to:

- agree the Council's response to the consultation by the Scottish Government on NPF3, and
- delegate authority to the Executive Manager - Planning to complete and submit the proposed response, taking into account the change as advised at Section 10.2.

35/13

#### **Draft Scottish Planning Policy (SPP)**

A report by the Team Leader – Development Plans and Heritage (PL -13-13-F) presented the Council's proposed response to the consultation by the Scottish Government on Scottish Planning Policy.

The Team Leader summarised the main terms of the report.

In response to a comment that the economic factor is now to be recognised within the planning process, the Team Leader advised on how the focus of the SPP has moved from "sustainable development" to "sustainable economic growth". He added that it had been felt that further clarification was needed in regard to what the Scottish Government mean by "sustainable economic growth" and "sustainable development", and this has been included as a comment on the consultation at Section 2.2.

Reference was made to the comment at Section 18 "Reducing and Managing Waste", that local options for disposal of waste streams should be fully taken into account in terms of recycling targets. It was suggested that this comment should be strengthened to reinforce the importance of including the waste to energy facility as a method of recycling. The Chair asked the Team Leader to discuss this with the Council's Executive Manager – Environmental Services to align the response with progress being made on this issue.

The Chair reported on the importance of the seafood sector to Shetland, however he said that Shetland was almost at saturation of available sites for salmon production, and commented that Marine Scotland are very firm regarding biodiversity which is not recognised in the planning process. The Chair said it is important that every opportunity is taken to reinforce these issues. He referred to marine renewables projects in Shetland and said there is a need for greater

awareness of the Marine Spatial Plan. The Executive Manager reported that aquaculture had been the focus of high profile meetings, and was the only industry which had its own work stream under planning reform, and therefore it was surprising how little reference there is to aquaculture in the SPP and NPF3. He said that the work of the Council's Marine Planning Section is recognised nationally, and advised that as aquaculture is vitally important both locally and nationally the Council would continue to stress the importance of the sector in all representations.

Mr Smith said that conflict between aquaculture and the marine renewables sector was very pertinent, and said that should there be an expansion of the whitefish sector in the future offshore renewables projects could be very restrictive to the industry.

The Executive Manager advised the Committee on his recent appointment to the Heads of Planning Scotland Executive Committee. He said that he was the first Head of Planning from an island authority to be appointed to the group. The Executive Committee meets with Cosla and the Scottish Government to discuss planning issues at a national level. The Executive Manager added that his involvement on the Committee will help to promote Shetland's case on all planning matters.

Mr Stout referred to Section 9.2 of the report, and supported the comment on the need for clarity on "areas of wild land character", saying that Shetland's 'character' geographically would be different from the rest of Scotland, and the SPP would give additional guidance in regard to wind farm developments.

The Chair referred to the comment made at Section 11.2, that focusing development in areas of peat should be avoided wherever possible. However he said that a balance also had to be found to allow large scale developments to be built on areas of peat. The Team Leader said that with large scale developments in Shetland it would be almost inevitable that peat will have to be moved but this has to be carried out sensitively, whilst at the same time recognising that it is important to avoid these areas where possible. The Team Leader confirmed that he would make the wording clearer in Section 11.2 to highlight the potential difficulties around this issue for Shetland.

Mr Robertson commented that Supplementary Guidance documents were one of the best aspects of the new planning process, as it allows flexibility to development and monitor a strategy. The Team Leader advised on how Supplementary Guidance can be updated as changes take place, and are particularly beneficial for areas such as onshore wind developments, which is such a rapidly changing field.

Mr Stout made reference to Section 17 "Managing Flood Risk and Drainage", and said he welcomed the comments made relating to landslides and related events as these were issues very relevant to Shetland and other places in Scotland.

Mr Robertson moved that the Committee approve the recommendation in the report, taking into account the changes to be made to the response at Sections 11 and 18 as agreed during the discussion. Mr Smith seconded.

### **Decision:**

The Development Committee **RESOLVED** to:

- agree the Council's response to the consultation by the Scottish Government on SPP, and
- delegate authority to the Executive Manager - Planning to complete and submit the proposed response, subject to the revisions agreed by the Committee at Sections 11 and 18.

The meeting concluded at 11.05am.

.....  
Chair