

# MINUTE

# A&B - Public

## Planning Committee

Council Chamber, Town Hall, Lerwick

Monday 15 September 2014 at 2pm

### Present:

F Robertson	A Manson
M Bell	P Campbell
S Coutts	B Fox
G Robinson	D Sandison

### Apologies:

D Ratter

### In Attendance (Officers):

H Budge, Director of Children's Services  
C Ferguson, Director of Corporate Services  
J Riise, Executive Manager – Governance and Law  
R Sinclair, Executive Manager – Capital Programme  
I McDiarmid, Executive Manager – Planning  
J Holden, Team Leader – Development Management  
T Smith, Contract Manager  
R Leask, Team Leader - Design  
R MacNeill, Planning Officer  
M Taylor, Planning Officer  
C Gair, Traffic Engineer  
I Gall, Emergency Planning and Resilience Officer  
K Marshall, Solicitor  
C Anderson, Senior Communications Officer  
L Adamson, Committee Officer

### Also in Attendance

Mr C Smith  
Mr G Smith  
Mr Wishart  
Dr Wills

### Chair

Mr F Robertson, Chair of the Planning Committee, presided.

### Circular

The circular calling the meeting was held as read.

### Declarations of Interest

None

### 25/14 Minutes

The Committee confirmed the minutes of the meeting held on 12 August 2014 on the motion of Mr Fox, seconded by Ms Manson.

The Chair advised that the two applications presented today would take the form of Hearings, and he explained to all those present the Hearing process that would be followed and how the meeting would be conducted.

26/14 **2014/117/PPF – Erect New School and Halls of Residence**

The Review Body considered a report by the Planning Officer – Development Management [RECORD Appendix 1]. The site was illustrated by a PowerPoint display of photographs and key information.

The Chair reported on the background to this application, where he advised that in 1993 the first report had been presented to Council with the recommendation for a new high school to be constructed at the Lower Staney Hill Site. However he said that since that time various different options have been considered for the new high school site. The Chair reported that ten years ago the Lower Staney Hill area had been defined in the Local Development Plan for educational purposes and has subsequently been brought into the new Development Plan as an area for educational purposes. He said that today, the Committee is considering a major development, probably the single largest planning application this Council will consider, and should the application be approved it will also be the single biggest capital project this Council will undertake.

The Chair quoted from the report, at Section 4.63, where there is stated, *“It is considered that it is very important that any school complex that is provided is a welcoming place, which is safe to travel to, travel within and travel from without the potential for conflict which often arises where there are limited opportunities to plan from “the ground up”. The Planning Service considers that the application site gives rise to a once in a lifetime opportunity to “get it right”.*” The Chair stated that this is the opportunity to get it right. He said that should the application be approved, there will be a major effect on the balance and distribution of traffic in Lerwick, and there will be the new high school and core educational complex for the whole of Shetland for the next 100 years.

In his presentation to Committee, the Planning Officer (R MacNeill) advised that the proposed site is in the most part identified as a site for a new High School and is also identified in the Shetland Local Plan 2004 and also the emergent Local Development Plan.

The Planning Officer advised that objections and petitions have been received expressing concern regarding the loss of the caravan and camping site. The Planning Service regrets that a successful business enterprise has now closed however it is not considered that the ending of what was a commercial enterprise can be regarded to represent a loss of a public open space or community facility when considered against the Development Plan. He said that the use of the proposed site, which includes the campsite, as a school, is clearly a community facility, and as such is considered to fall in line with Local Plan Policy, as the proposal is for an educational use.

In reporting on the site layout and design, and the landscape and visual impact, the Planning Officer referred to slides which illustrated the site layout of both the new School and Halls of Residence buildings. He advised that the proposed four storey High School and the three storey Halls of Residence are large buildings in terms of their bulk and massing, which has been dictated in many regards by the constraints of the applicant's chosen site for the development and it will undoubtedly have a large physical presence. He said that the Planning Service consider that the colours and materials used will help the structures to merge into the hillside backdrop.

In referring to the slide depicting the view to Clickimin Broch, the Planning Officer said that of particular concern, in terms of a potential key impact on the built heritage of the area, is the impact on this Scheduled Ancient Monument of national importance. He advised that Historic Scotland (HS) were consulted about the impact that the proposed High School and Halls of Residence will have on the setting and while recognising that there will be an impact, HS raised no objections to the proposal.

The Planning Officer advised that in regard to the potential impact on the local residents, the Council's Environmental Health Service (EHS) have noted that the Environmental Statement (ES) shows that mitigation measures are proposed during the construction phase to control noise and dust. It has been identified that there will be occasions where the noise impact could be considered significant, but that this will be temporary and short term in nature. The Planning Officer added that appropriate planning conditions will be put in place and Environmental Health legislation will deal with this appropriately.

The Planning Officer advised that the residents on Bruce Crescent, who would be most affected during the operation of the school, at peak times, twice a day, have specifically requested that no noise mitigation measures or barriers are put in place as this would block the current open views from the properties. The same residents on Bruce Crescent have raised an objection regarding the relocation of car parking from North Lochside which will be lost following the construction of the new roundabout. The Planning Service considers that there is no need to replace the parking provision that will be lost on North Lochside, especially if the alternative provision will be to the detriment of the amenity, especially in terms of noise, which is currently enjoyed by the residents at Bruce Crescent or would otherwise cause safety issues if constructed elsewhere. He advised that additionally it is not considered that the proposed car parking is required for site specific provision, and as a result it is recommended that this aspect of the development should not be approved and an appropriate condition has been recommended in the report.

In referring to the impacts on the natural heritage, he advised that the Planning Service is content that subject to the submission of a fully worked up Environmental Management Plan (EMP) the potential impacts on the natural heritage, especially round the Clickimin Loch, will be adequately protected.

In regard to drainage and flooding, the Planning Officer advised that the Planning Service considers that an upgrade to the current culvert and the proposed school drainage provision would be desirable from the point of future proofing the proposed High School and Halls of Residence site. It is also the Planning Service's view in the interests of sustainable development and represent good planning that adequate infrastructure would be put in place to cope with both the drainage requirements of the proposed school site and a proposed housing site (potentially between 300 to 400 houses according to the separate application) on land at North Staney Hill. The proposal for housing is in the Shetland Local Development Plan (the Council having resolved to adopt the LDP) identified as being in an Area of Best Fit for development and a Site with Development Potential.

In advising that the site lies next to an area of contaminated land, the Planning Officer said that the ES outlines that the design of the works proposed near the old landfill ensures that the landfill will not be directly disturbed and indirect impacts will be avoided by measures in the detailed design. The EHS has noted the results of the exploratory borehole logs undertaken to establish the potential level of contaminants

in the area from the closed landfill site that borders the proposed development area. Potentially harmful compounds have been found in a number of the test pits/boreholes, and mitigating measures are proposed to be adopted by the development contractor. This proposed approach should be in addition to ongoing monitoring undertaken during the construction phase of the development. The Planning Officer advised that the EHS has also recommended that further monitoring of receptors subsequent to the completion of the project be undertaken to ensure that the changes in ground loadings do not cause pollutants contained in the former landfill to become mobile and impact on receptors in the immediate area.

In referring to the slide of the High School Main Entrance, the Planning Officer advised that the cycling and walking routes to the proposed High School and Halls of Residence should be part of an integrated design. The proposed development will result in a change in the way that people interact with the area in which it will be situated, and this may lead to potential conflicts between people taking different routes, using different forms of transport, with different motivations, all interacting in the area in and adjacent to an 'Entrance Plaza' area in front of the proposed High School building. Cycling and pedestrian access provision is further complicated by the Right of Way which exists on the site, and the provision of the roads infrastructure. Achieving a safe layout which minimises conflicts, especially given the restricted space available, will require particularly careful design. The Planning Officer said that further information was requested from the applicants during the Planning Service's handling of the application, who have responded that they consider that such details can be dealt with by means of conditions attached to the planning consent. He said that while the Planning Service accepts that the imposition of conditions is an acceptable method to finalise design details it is considered that even with the imposition of an appropriate condition there can be no guarantee that the design details which come forward will resolve the potential conflicts that have been identified entirely, and as such it is appropriate that the Planning Committee is made aware of this.

In referring to the slide, which showed the Public Right of Way/Core Paths, the Planning Officer advised that as part of the applicant's overall access strategy there is a proposal that the Public Right of Way which leads around Clickimin Loch and beyond to Staney Hill will be diverted as a result of the erection of the proposed new High School and Halls of Residence buildings. He reported that there is currently a very broad range of users of the routes in the vicinity of the application site, through and to facilities in the area, including walkers, runners, dog walkers, families with children, cyclists, commuters, leisure complex users; and it will also become a destination for pupils, staff and visitors/callers to the school. The Planning Officer advised that as presented the proposed routes and diversions will add significant distance to some routes, and introduce high levels of potential for conflict between members of the public using routes and school pupils, staff and visitors, particularly in the "Entrance Plaza". The Planning Officer advised that the Planning Service recommends that to mitigate the impact of such an increase in walking distance as a result of the diversion of the Right of Way, for users not wishing to go through the proposed High School and Halls of Residence site, that an additional and alternative route should be provided which would link to the Staney Hill Road from the Clickimin path to the west of the proposed High School building. There is an informal route which is currently being used for this purpose. This could avoid some of the potential issues of conflict that have been identified with such a diversion.

The Planning Officer said that the Planning Committee is also asked to note that should planning permission be granted for this proposal the applicant will still need to

apply to have the affected core paths and Public Right of Way diverted before any development affecting their routes can commence.

In terms of Road Traffic provision, the Planning Officer advised that the new roads infrastructure will be provided in the form of a new roundabout located at North Lochside, and internal roads to provide access and car-parking provision for both the new High School building and the Halls of Residence. The principle of the new roundabout and roads provision has been fully considered by the Roads Service and is considered acceptable and necessary to adequately and safely service the proposed development. It will however be necessary for the full construction details to be submitted to the planning authority for approval and to the Roads Service, prior to the construction phase.

The Planning Officer stated that it is considered that it is very important that any school complex that is provided is a welcoming place, which is safe to travel to, travel within and travel from without the potential for conflict which often arises where there are limited opportunities to plan from "the ground up". The Planning Service considers that the application site gives rise to a once in a lifetime opportunity to "get it right". Therefore, while it is considered that the outstanding issues discussed above in relation to road traffic infrastructure, pedestrian and cycling routes, and access to public rights of way above can be adequately addressed individually by means of condition, these issues are inextricably linked so careful consideration will require to be given to the quality of further details submitted which seek the discharge of conditions which may be attached to any permission granted.

*(The Chair invited representatives of the objectors to address the meeting.)*

Mr S McMillan, an objector, advised that he was representing the residents of South Lochside. Mr McMillan asked why the proposed school was moved from the North West corner in the first instance, as he said to move the school back would leave the campsite and the helipad in situ. The Chair advised that the Planning Committee today is to consider this particular site and not alternatives sites. He added that the assessment and analysis of sites has been undertaken, and it is the site as presented in the report to be addressed at this meeting.

Mr McMillan made reference to the area of contaminated land, as mentioned by the Planning Officer in his presentation. Mr McMillan enquired what would happen should at the start of construction, contamination levels are found to be more than envisaged, and for example, the presence of methane gas is found. The Chair advised that this would be a matter for the developer to address and to decide what measures they may wish to take.

In response to a question from the Chair, Mr McMillan confirmed that he had no further questions to put to the Committee.

*(The Chair invited any further objectors to address the meeting. There were no further representatives of the objectors who wished to address the Committee.)*

*(The Chair invited a representative of the applicant to address the meeting.)*

Ms H Budge, Director of Children's Services, SIC, read from a prepared paper, as follows: "I am very pleased to have the opportunity to set out the case for a new Anderson High School receiving planning permission.

We are making real progress on the development of the long awaited school working with Scottish Future's Trust, Hubco North and Galliford Try (Millers as was) on developing plans to ensure we successfully build a new school.

I am not going to say this is an easy project, it is complex and it is difficult, but there are a lot of sound experienced people working on it and advising and of course the project is absolutely worth it. I keep in the front of my mind what we are trying to achieve here which is a new, fit for purpose school for Shetland's pupils that will serve them well for many years to come.

We are at an exciting time educationally, as the last elements of Curriculum for Excellence are implemented by way of new qualifications, we have seen some hugely important information published such as the Wood report and the new Act.

(Locally we are developing the Shetland Learning Partnership Project which we will see new and wider opportunities for secondary pupils principally during their Senior Phase. Schools will work more closely with local Colleges and together we will provide as many, high quality opportunities as possible).

A new Anderson High school is an integral part of all our future education plans. Shetland's young people deserve the very best we can provide for them.

I want to be clear that this is not a new facility for Lerwick, 89% of S5 and S6 pupils in Shetland attend the Anderson High School so this is a development for the great majority of young people.

We are at an important time in the project: the outcome of this Planning Application is crucial. We have got to the stage we have a near final Project programme and we are awaiting the outcome of the FM Procurement. We have secured national funding and we must get on to ensure we keep that funding.

There is much to do to bring this project to fruition, but the basic design is now complete, costs are within budget and this complex project is taking shape".

Mr J Armitage, Project Advisor, read from a prepared paper, as follows: "There are two specific issues we would like to raise in connection with the Planning report and recommendation: Firstly, many conditions are worded so that we would be unable to start work on the roundabout or other enabling works such as footpaths before they are fulfilled for the entire development. This is likely to delay this early work, affecting the overall school programme. We would like the conditions amended to give the planning department discretion to allow early works if they feel it appropriate after discussion with us.

Secondly, we note that planning permission is recommended to be refused for the small car park close to the roundabout which was designed for the use of North Lochside residents. We understand the objections received about this car park but do consider that there is a loss of amenity if some replacement car parking is not provided. We would ask you to consider permitting us to replace this car park with a smaller one for 8 cars on the south side of the road.

We are pleased that the Planning Department has recommended approval of the design. We hope you agree, and we look forward to delivering the new AHS".

The Chair thanked the Director of Children's Services and Mr Armitage for their addresses to Committee. The Chair then made reference to the comment from Mr McMillan in regard to contaminated land. Mr Armitage said that boreholes have been carried out and they are very confident the school will not be built on contaminated land.

The Chair invited questions from Members of the Committee.

Mr Robinson made reference to the comments from Mr Armitage in regard to the wording of the planning conditions and when they will be able to start the works on the project. He said that he realised the difficulties at this stage however detail is required on how the construction will be phased. The Planning Officer said that the conditions have been set due to the lack of information received. He said that the Planning Service want to make sure all the details are submitted at the appropriate time, and that any change to the wording of the conditions would require a recommendation from Committee. He added that the application has not been assessed as a phased development, and that it would take some work to change the conditions to that of a phased development. The Executive Manager – Planning said that if the Planning Service had received some more detail and clarity on various aspects of the development, they could have dealt with the imposition of conditions in a different way. However, he said that Members can decide on conditions relative to this application. The Executive Manager – Planning added that should the Committee approve the application with conditions as stated, the developer could apply to vary conditions in some way when they have further detail on a phased project.

In referring to the wording of the planning conditions, Mr Fox said that he had noted that that the Planning Service has made particular mention in the report to the "Entrance Plaza" Area, for Members of the Planning Committee to be aware that they are not convinced that a planning condition can get around this. Mr Fox said he was very uneasy given the number of conditions that start, "Development shall not commence until....", and on the carte blanche approval on how the project is to progress, and he questioned whether the Planning Service can be entirely happy with the process. The Executive Manager – Planning said that the Planning Service looked at this application as it would any other development and irrespective of the nature of the development, had been assessed as would any other similar development. He said that the planning conditions can progress the development to take them to the next stage and there are a number of conditions attempting to address the various aspects of the development which we do not have requisite information, but can be added at a later stage. He said that there are a number of significant issues that will be difficult to address, however with any planning conditions for large or small developments there is a degree of uncertainty as to whether it can be addressed. He added that we have to assess, in the Planning Service and by the Planning Committee, whether there is potential that issues can be addressed and dealt with by conditions and our assessment is that they can be dealt with for this and any development for which permission is granted.

Mr Sandison enquired on the issue of the displacement parking at North Lochside, where the Roads Service had considered the need for replacement parking spaces but the Planning Service have considered that ultimately no alternative parking is necessary. The Planning Officer said that, in his opinion, there is sufficient parking along Lochside and that the residents of Bruce Crescent should not be put on with seventeen car parking spaces to replace potentially eleven spaces. The Planning

Officer said that although there is a loss of parking amenity, he did not consider there is a need to replace the parking spaces.

Mr Fox made reference again to the planning conditions that start, "Development shall not commence until....." which he said is a criticism from him on the developer. He said that the Planning Service have acted properly in how they have dealt with the application, due to a lack of detail coming forward. He said that the developer cannot phase the project as they see fit to progress the works. Mr Fox said that in his view, the developer has not done the work to get the conditions in place before the application receives consent.

In agreeing with Mr Fox's comments, Mr Robinson said that as Members of the Planning Committee it is important for developers to stick by the conditions put upon them. He said that there is need to recognise the project is a major development, which will have a major positive impact on children and young people in Shetland. He said that the new school is long awaited. Mr Robinson commented on the excellent report from Mr MacNeill, Planning Officer, which he said covers all the issues raised. Mr Robinson moved that the application be approved, subject to the conditions as listed in the report. Mr Bell seconded.

The Chair added that the conditions as appended in the report covers a progressive development, and are absolutely necessary to be able to ensure all the information is needed to provide a welcome place to travel to, travel within and travel from.

27/14 **2014/190/PPF – To Construct Helipad consisting of 10m diameter asphalt landing circle with 3.5m access road from South Lochside with a Turning Head**

The Committee considered a report by the Planning Officer – Development Management [RECORD Appendix 2]. The site was illustrated by a PowerPoint display of photographs and key information.

During his presentation, the Planning Officer (M Taylor) referred Members to the slide which showed an aerial photograph of the location of the proposed landing area between the two football pitches, and the location of the existing landing pad, which will be displaced during the construction of the new High School. The Planning Officer advised that emergency helicopter landings are outwith the scope of planning legislation, and that landings can be made where it is safe to do so. However, where a landing site is intended for use on more than 28 days per year planning permission is required. Members noted the Key Issues relating to the application being the compatibility with the surrounding uses, whether the frequency and management of the use is sufficient to mitigate any detrimental impact upon the amenity of the residential neighbours and recreational users from noise and activity, and the material consideration being the established use within the area and any wider public benefit from a dedicated landing site in the applied for location. The Planning Officer reported on the representations and petition received in regard to loss of amenity, noise and disturbance. The Planning Officer made reference that since 2009 this was the third application that has been determined to achieve a dedicated helipad in this area. The Planning Officer concluded by advising that on balance, it is considered that whilst it is recognised that the proposed helipad will have a detrimental impact on residents, the frequency and duration of use, management of the site, and wider public benefit of providing the facility are mitigating factors that are considered to outweigh these impacts for the application to be approved. He advised therefore, that the application is recommended for approval, subject to the conditions as appended to the report.



The Chair enquired as to whether a spokesperson had been appointed to represent the 14 objectors, and he invited a representative of the objectors to address the meeting.

Mrs P Leask advised that she lived at 11 South Lochside, and that in her address to the Committee she was representing the residents of South Lochside. Mrs Leask read from a prepared paper, as follows; "We would like you to defer planning permission on the helipad until you are all satisfied that the option appraisals are recent, and also if and when the land protection area has been in the loop, as far as recent consultations had taken place, I believe the SIC changed the designated green belt, to the LPA in or around 2008.

If the helipad is positioned in front of our homes our properties will become devalued and not reach market price, in fact who would want to buy a house with a 28.8 imperial ton noisy machine and put up with the disturbance of the Sikorsky S-92 helicopter landing in front of their homes anytime of the day or night and leave there engines running for up to 35 mins at a time, and the pilots know how noisy this specific aircraft is, and that it is one of the largest aircraft in use around the world for emergency air lifts.

For some unknown reason most of the residents have not yet received the decibels or noise levels that will be produced by the Sikorsky S-92 helicopter. There is also the possibility of the house owner insurance costing more, this also has to be considered. As the thrust or up draft as specified by the Beaufort scale is the equivalent to a force 10 gale or in excess of 60mph, the probability of damage in such a congested area is high and the road that runs past the proposed site is one of the busiest roads in Shetland and at set times of the day is highly congested.

Why will SIC or CAA not take responsibility to tell us who will be liable for any damage to our property, personnel or health. I am responsible to insure and protect my property, health and belongings so why is the SIC and CAA not saying who will be responsible as it is both they who are proposing this application, the thrust or up draft as specified by the Beaufort scale is the equivalent to a force 10 gale or in excess of 60mph the probability of damage in such a congested area is high.

The Planning Department has changed there considerations of other proposed landings sites, first the Knab was unsuitable owing to fog and high winds, now they state access and egress over occupied houses (which the helicopter already flies over), secondly the Clickimin playing fields were previously discounted due to the grassed playing surface being unable to support the weight of the current emergency aircraft, what has changed to make it suitable now to take the weight of the helicopter.

I would like to say to all the Board sitting here today, would you like to have a noisy aircraft landing 60 meters across from your house, maybe a couple of hundred times a year. And we all know that every time the aircraft comes in it is not in a life or death situation. I would say at least half these flights could go to Tingwall or Sumburgh or Scatsta, and the patient could be driven into Lerwick.

I would also like to add that the emergency services do a fantastic job. Finally, we believe you have no other option but to deny or defer the planning permission at this time on the helipad until all questions and concerns have been answered.

*(The Chair thanked Mrs Leask for her address to the Committee, and invited questions from Members to Mrs Leask).*

Mr Bell asked Mrs Leask whether there was any evidence that insurance premiums would increase should the helipad be located as proposed. Mrs Leask advised that a figure has not been given at this time, and can only be provided if and when the helipad is in place.

Mr Fox thanked Mrs Leask for her presentation to Committee. Mr Fox enquired whether any monitoring has taken place in regard to noise levels from landings at the proposed site. Mrs Leask advised that the residents have not been notified of any monitoring, and she sought that a decision is deferred to allow a dummy run of a helicopter to hover in the area. She said that the noise levels should have been taken into consideration before the application was put forward for the helipad, so that people could hear the noise and get a better idea why the residents are upset to be so close to the helipad.

*The Chair invited any other objector who would want to put forward any further planning points on the application to the Committee.*

Dr J Wills said that he has been asked by numerous constituents to put questions to the Committee however he confirmed these individuals had not submitted representations to this application. Dr Wills made comment on the detrimental impact to nearby residents from the proposed location of the helipad, where the Planning Service considers there is sufficient mitigation for the application to be granted, which he said is very much a question of opinion. Dr Wills questioned why the site between the playing fields at Clickimin has been picked, as he said it will maximise disruption to the most people. Dr Wills referred to a discussion at the Community Safety and Resilience Board, on an alternative site for the helipad being at the former pump ashore station at the Ness of Sound. He said that the pilots had pointed out that the site at the Ness of Sound would not involve flying over densely populated areas and would not disturb anyone. Dr Wills said that he was completely at a loss as to why the application was before Committee today, and he hoped that Members of the Planning Committee would ask the applicant to think again.

*(The Chair invited any questions from Members to Dr Wills. There were no questions, and Dr Wills left the meeting).*

*(The Chair invited the agent of the applicant to address the meeting).*

Mr T Smith, Contract Manager, SIC, advised that through consultation with the Emergency Services it became apparent that proposals to build a new school in the Clickimin area would require the relocation of the current emergency helicopter landing pad. The exercise to try to find an alternative site has been coordinated by the Council's Emergency and Resilience Section and has involved members of the Shetland Emergency Planning Forum. This exercise has clearly identified the proposed site as the only option that meets the various requirements and constraints. Mr Smith introduced the Chief Executive of NHS Shetland, who he said will confirm the importance of an emergency landing site for the Health Service.

Mr R Roberts, Chief Executive, NHS Shetland reiterated the importance of this site to the local community as being essential, being close to the Gilbert Bain Hospital. He said that having granted approval of the new High School at Clickimin, it is essential to find an alternative site for the helipad. Mr Roberts reported on the two main reasons for the helipad to be located close to the Gilbert Bain Hospital, in that the more further away from the hospital site, the more time the ambulance is away from other duties

and associated inability to respond to 999 calls, and for the site to be central in Lerwick is an essential part of the Shetland community.

Mr J Webster, Sector Manager, Shetland Coastguard, advised that he was representing the helicopter pilots. Mr Webster said that the proposed landing site is the best available site, and is better than the existing site with a safer approach. Mr Webster said that the proposed site is an ideal site and from the Coastguard's point of view he reiterated Mr Roberts' comments on the need to be in easy access of the hospital.

Mrs Leask, representing the South Lochside residents, said that she was aware of the need for the landing pad to be close to the hospital, particularly in a life and death situation. However she said there were other sites in a mile radius that could cater for the helicopter to land. She said that the applicant has not taken into consideration the nearby houses and how congested the area will be.

Mr Sandison questioned why the existing helipad at Clickimin could not continue to be used. Mr Webster explained that the new school will be a 4 storey building on the flight path of the aircraft. He said that the existing helipad will be a distance of 70m from the new school, and the pilots will not land on safety grounds, as children could be outside the school at the time, and this would be deemed unsafe. He added that during construction of the new school, there will be cranes in operation, which as mentioned in the consultation could blow over during landings. Mr Webster clarified the main reasons for relocating the helipad being that the new school will be in the flight path of helicopters landing, and due to the height of the new school building.

Mr Bell made reference to the previous attempts to try to find a suitable site for a helipad, which he added have not proved easy. He said there would appear to be anecdotal evidence that the number of landings have increased in the last year, and that some flights have not been used for life and death situations. Mr Webster advised that although the coastguard is an emergency service, it is not the coastguard that would make a decision on the need for an emergency uplift. The decision would be made by a Doctor, purely on medical grounds. In responding to a further question, Mr Webster advised that the increase in landings would relate to the increased activity in both the oil and shipping industries on the Westside and North of Shetland and around Orkney, and that it is anticipated that this offshore activity will continue to increase. Mr Roberts said that there could be some question as to what incidents are classed as an emergency situation, however he stated that there will always be a need for emergency landings and therefore a need for an emergency landing site.

In response to a question relating to the proposed location of the new helipad, the Contract Manager, SIC, confirmed that the location, in between the two football pitches, has been discussed and agreed with the pilots. He added that in discussion with the Council's Sports and Leisure Service it has been agreed that the goals will be removed prior to the helicopter landing.

Mr Sandison enquired on the other alternative sites that have been considered, evaluated and dismissed as part of the process to find a suitable landing site in Lerwick. The Contract Manager, SIC, advised that five separate sites have been assessed, and that in consultation with Members of the Council's Planning Committee, the Emergency Planning Forum, and the pilots, all the alternative sites were dismissed for various reasons. He added that the Ness of Sound site was considered suitable from the pilots' point of view, but due to the costs required to upgrade the road the site was dismissed.

In response to a question, the Contract Manager, SIC, advised that the ultimate decision to site the helipad between the two football pitches at Clickimin had been made by the Emergency Planning Forum. He advised that the Forum includes representation from all the emergency services, who had been guided by the pilots, as it is the pilots who have the final say in regard to landings at a site.

Mr Sandison enquired whether a formal noise assessment had been undertaken as part of this application. The Contract Manager, SIC, advised that as part of the Environmental Statement submitted for the new school there included the requirement for an assessment of the helipad. This included noise recordings of helicopter movements at Sumburgh, which along with other noise assessments for the school project has been used to make an assessment of the impact on the residents of South Lochside. In response to a comment from Mr Coutts that a site specific noise assessment would have been better in this situation, the Planning Officer advised that the Council's Environmental Health Service, who is the body responsible to regulate noise nuisance, has no objections to the proposal.

In response to questions on the potential affects from the downdraft from helicopter landings at the proposed site, Mr Webster advised that the Coastguard ensure that the area is made safe prior to landing. He added that the new site has been assessed for downdraft and there will be no movement of wheelie bins along South Lochside.

Mr Fox made reference to the findings from the noise assessment survey undertaken at Sumburgh, and he said that monitoring for noise levels should have been undertaken at the proposed site. In response to a question, the Contact Manager, SIC, confirmed on Lerwick Port Authority's involvement during the assessment of the alternative sites. Mr Fox enquired why the proposed site had been discounted during an earlier assessment to find a suitable site for a helicopter landing site, during 2008. Mr Webster advised that since that time the aircrafts have changed, and the S-92 helicopters are a much more capable aircraft. He confirmed that the pilots are happy with a 10 metre landing site.

Mr Bell enquired whether Tingwall Airport has been assessed for emergency helicopter landings. Mr Roberts, NHS, advised that from a health service point of view, to use Tingwall Airport causes issues in the transfer of staff. He added that the ability to use a helipad is still required on occasion, and that the pilots have said that Tingwall is not a suitable alternative due to issues of fog. Mr Bell made reference that in the absence of a bona fide landing pad a pilot can choose any suitable site to land. Mr Webster confirmed that in a life threatening situation, although the coastguard will make a recommendation, the pilot will make the final decision where to land.

Mr Fox made reference to Section 1.9 of the report, to the decision to link consideration of the helipad and the new school applications, which he said has now been consented, and to Section 1.5, where it states that "although the helicopter may land anywhere at any time, it is much more desirable to have a dedicated landing site", he enquired on whether a decision of the Planning Committee to defer or refuse this application could have some issues for the school project. The Planning Officer advised that the helipad application had been submitted independently of the school, and the current application for the helipad has to be assessed on its own merits. He added that the Planning Service had made their recommendation on the applied for site, which is not tied to the school project.

In response to a question, Mr Webster advised that as soon as building works commence at the new school site landings will cease at the existing helipad site.

Mr Robinson said that when he read the report and the objections he had questioned whether people were losing sight of the real issues. He said that a helipad is needed for a helicopter to land when a person is in need of emergency medical treatment, and that it is important to have a helicopter landing site at close proximity to the hospital. Mr Robinson acknowledged however that the helipad was not always used for life and death situations. Mr Robinson commented on the similarity in Lerwick and Aberdeen, where the helipad in Aberdeen is close to the Aberdeen Royal Infirmary (ARI), and having compared the number of landings to ARI he said that landings in Lerwick were of a similar number, which in his view seemed surprising given that Aberdeen is the main centre for the offshore industry and mountain rescue. Mr Robinson said that in Edinburgh there had recently been difficulty in relocating the helipad near the hospital resulting in landings taking place at the airport. He said that should emergency landings take place at Tingwall Airport or Sumburgh Airport, patients could face up to an hour's delay in reaching the hospital.

Mr Robinson said that critical to making a decision today was that the Environmental Health Service has no objections to the proposals. He said that taking things into perspective, even if emergency landings were to take up to 30 minutes, normally 5-10 minutes, this would amount to a total of 2 days over the course of one year. Mr Robinson said that there has been a long history of helicopters landing in this area which facilitates sick and injured people reaching the hospital as quickly as possible.

Mr Robinson moved that the application be approved, subject to the conditions as listed in the report. In seconding, Mr Bell asked whether Mr Robinson would include into his motion that the permission is granted for a period of 2 years, to allow for monitoring to take place on the number of landings and the effect on nearby residents. Mr Robinson confirmed that the temporary consent and monitoring as suggested by Mr Bell would form part of his motion.

Mr Fox commented that he supported the inclusion of the monitoring requirement. He added that there was also a need to get a handle that the helipad is solely for emergency use.

In response to a question, Mr Robinson confirmed that the monitoring is to start from when the new landing site comes into operation.

In summing up on the decision of the Committee, the Chair concluded that the application has been granted for a period of 2 years following construction, to enable a two year monitoring period once in operation. During that time the site would be monitored for noise and disturbance to local residents. The Chair confirmed that the responsibility for the monitoring would fall to the developer.

The meeting concluded at 3.50pm.

Chair