

MINUTE

A&B - Public

Planning Committee
Council Chamber, Town Hall, Lerwick
Tuesday 13 January 2015 at 2pm

Present:

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

Apologies:

D Sandison

In Attendance (Officers):

I McDiarmid, Executive Manager – Planning
J Holden, Team Leader – Development Management
R MacNeill, Planning Officer
C Gair, Roads Engineer
G Leask, Team Leader – Design
I Smith, Design Engineer
K Marshall, Solicitor
L Adamson, Committee Officer

Also in Attendance

M Stout, SIC

Chair

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

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

01/15 **Minutes**

The Committee confirmed the minutes of the meeting held on 10 December 2014 on the motion of Mr Fox, seconded by Mr Bell.

02/15 **2014-313-PPF – To Construct Roundabout, Access Road and Associated Parking Area, Footpaths, Landscaping and Surface Drainage at North Lochside, Lerwick**

The Committee considered a report by the Planning Officer – Development Management [PL-01-15-F: RECORD Appendix 1] for a decision following a hearing.

The Chair advised that this application is connected directly to the development of the new Anderson High School and Halls of Residence, which is classed as a Major Development. The consent granted for the project included 26 conditions that will be addressed in due course. He said that as the development progresses it will obviously change the dynamics of the area in terms of pedestrians, traffic and

general amenity, and therefore it is only natural that representations on this application had been submitted from residents of North Lochside.

The Chair advised that a decision on this application will be made following a hearing process, which allows any persons who made representations for or against the application to address the meeting.

The site was illustrated by a PowerPoint display of photographs and key information. The Planning Officer (R MacNeill) presented the following slides as part of his presentation:

- Location Plan – showing the proposed roundabout, access road and replacement car parking
- General Layout – including the slightly amended route for the core path.
- View looking south from the entrance to Bruce Crescent
- View to the location of the proposed replacement car parking at the rear of Bruce Crescent
- Long view north along North Lochside
- Key Issues

The Planning Officer advised that as a result of negotiations with the applicant, a revised layout plan was submitted which better reflects the needs of all users of the crossing point on the new access road proposed, by setting it further to the west of the roundabout. The revised layout alignment has allowed the Planning Service to conclude that the positioning of the road access crossing point is safe for all road and footpath users and is compliant with the Disability Discrimination Act. He said it is considered that the extent of the diversion to the public right of way that will result is minor in nature and therefore will not require a formal diversion order to be made.

The Planning Officer said that Members will recall that at the meeting on 15 September 2014, the Planning Service recommended not to approve replacement car parking that was proposed to the rear of Bruce Crescent on the grounds that it would result in an unacceptable noise nuisance for residents of Bruce Crescent. The Planning Committee agreed this recommendation, and the parking area (which was for 17 spaces) was excluded from the planning permission granted (by condition).

The Planning Officer advised that this latest submission includes a proposal that 14 car parking spaces are provided, also to the rear of Bruce Crescent, in the form of a crescent and located a distance of between 10 and 20 metres from the boundaries of the residential properties.

Members were advised that eight letters of representation have been received in regard to the current application, which have been summarised in the report. These representations, in the main, are concerned with the provision of replacement car parking spaces for those which will be lost during the construction of the roundabout, and expressing a desire that parking is provided. The Planning Officer explained that the car parking now proposed, being located off the boundary with residential property at Bruce Crescent compared to the residential properties backing immediately on to the car park as was the case previously, has resulted in the occupants of these properties withdrawing the objections that they had submitted to the proposal for car parking.

The Planning Officer said that it is considered that with the changes that have been made to the design layout of the proposed replacement car parking there is a reduced likelihood that any more noise and disturbance will affect the residents on Bruce Crescent, over and above the impact from the operation of the new roundabout and road access. Further, the study submitted by the applicant has shown that the provision of the replacement car parking will not be to the perceived disadvantage of the residents of properties on North Lochside from the proposed development of the roundabout. In concluding, the Planning Officer advised that it is considered that the proposal complies with the policies contained within the Development Plan which seek to ensure that all new roads and accesses are safe and convenient for all road users and that new proposals do not adversely impact on the amenity of neighbouring property.

The Chair thanked the Planning Officer for the information provided.

The Chair said that, in line with the processes and procedures for a hearing, any of the individuals who submitted representations were invited to present their representation to the Committee.

Mr D Napier, who was also representing Mr E Sim, advised that he was one of the objectors to the earlier applications as he had concerns about the location of the proposed replacement car parking. Mr Napier commented that throughout the process he had always accepted there would be a need for replacement car parking. Mr Napier advised that he had no problems with the location of the car parking in the current application, and confirmed that his earlier objections were now withdrawn. In response to questions, Mr Napier confirmed that he had no concerns about the size of the proposed car parking, and he confirmed that he was happy with the location as it was now far enough from the boundary of Bruce Crescent.

The Chair thanked Mr Napier for the clarification he provided to the Committee.

In response to questions from Mr Campbell in regard to the proposed design and cost of the roundabout, the Planning Officer said that the design will be as had been presented with the earlier application for the new Anderson High School project. The Design Engineer advised that the roundabout will be similar in size to the roundabout at the bottom of Sound Brae. No design work has been done for the centre of the roundabout, but he anticipated it will be plain concrete. The Chair concluded that the design of the roundabout will have to adhere to the appropriate highway standards.

In referring to the summary of the representations, as included in the report, Mr Fox noted that most of the comments received generally support the development provided that the car parking is included. He made reference to a question in one of the letters of representation which related to a separate issue, where he enquired on the response from the Planning Service. The Planning Officer advised that the Planning Service do not normally respond to individual representations, but instead matters raised by objectors are addressed in the report to Committee.

In response to a question from the Chair, the Planning Officer clarified that with the current proposals, the extent of the departure from the existing public right of

way is not significant, and therefore there is no requirement for a formal diversion order to be made.

Mr Robinson moved that the Committee approve the application. Mr Campbell seconded.

Decision:

The Committee APPROVED the application, subject to the schedule of recommendation conditions.

The meeting concluded at 2.20 pm.

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Chair