

MINUTE

B – PUBLIC

Development Committee
Council Chamber, Town Hall, Lerwick
Wednesday 20 January 2016 at 10 a.m.

Present:

A Cooper	T Smith
M Burgess	B Fox
R Henderson	A Manson
F Robertson	G Robinson
M Stout	A Westlake

Apologies

Mr Burgess (for lateness)

In Attendance (Officers):

N Grant, Director of Development Services
D Irvine, Executive Manager – Economic Development
I McDiarmid, Executive Manager – Planning
A Taylor, Team Leader – Development Plans and Heritage
W Grant, Project Manager
P Sutherland, Solicitor
J Thomason, Management Accountant
J Wiseman, Planning Officer
B Kerr, Communications Officer
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

Ms Westlake declared an interest in the item “Business Loan Application”, and advised that she would leave the Chamber during the discussion.

Ms Manson declared an interest in the item “Business Loan Application”, as an accommodation provider. Ms Manson confirmed that she would leave the Chamber.

Minutes

The Committee approved the minutes of the meetings held on (i) 8 October 2015 on the motion of Ms Manson, seconded by Mr Henderson, (ii) 11 November 2015 on the motion of Mr Fox, seconded by Mr Stout, and (iii) 23 November 2015 on the motion of Mr Robertson, seconded by Mr Henderson.

01/16 **Local Development Plan Update Report**

The Committee considered a report by the Team Leader – Development Plans and Heritage (DV-05-16-F), which provided an update on the next Shetland Local Development Plan (LDP2) and Supplementary Guidance (SG).

In introducing the report, the Team Leader – Development Plans and Heritage provided an update on progress with the LDP2, and he confirmed that the next Development Plans Scheme will be presented to a Special Development Committee in March. He advised that with recent staff departures within the Development Plans Team there has been a need to review workloads and he outlined on the key areas of work going forward as set out in Section 3.5. A paper was tabled at the meeting (Appendix 1A) which provided an update on the various supplementary guidance, and it was noted that a number were now not progressing as a result of reduced resources within the Team. It was however confirmed that the focus will be given to the programme to progress the LDP2.

(Mr Burgess and Mr Robinson attended the meeting).

In response to a question from a Member on the number of applications approved that have not adhered to the LDP, the Team Leader – Development Plans and Heritage reported that part of the LDP process is to monitor planning decisions made, which will be reported in due course. He added however, that should Ms Westlake require any further information at this time he could discuss that outwith the meeting.

In response to questions, it was confirmed that the shortage of workers' accommodation in Shetland is being addressed as part of the remit of the Housing Partnership Board, which feeds into the Housing Needs and Demand Assessment.

It was confirmed that there will be advance notification within the community prior to the Call for Sites stage of LDP2. It was explained that site owners can come forward with potential development sites at any time for early discussion with Planning Officers, although assessment would only take place at the end of the consultation period.

During the discussion, a Member advised on instances where private developers have been refused permission to build on land identified in the LDP as a site with development potential, where for example, the criteria could not meet in regard to visibility splay. He questioned therefore whether a simplistic screening system could be developed to determine whether a particular application would be granted. The Team Leader – Development Plans and Heritage explained that all sites in the LDP had been assessed by the Roads Services on the circumstances at that time, however he acknowledged that there will be cases where, as sites with development potential are being developed, further applications in the area may not meet planning criteria. A Member then advised from a discussion at a recent Developers Workshop, where in some case the gradients involved would sterilise development in certain sites identified as having development potential.

In response to concerns from a Member relating to the onerous constraints on developers to meet the strict criteria to adopt a road, the Executive Manager – Planning explained that in discussions with the Roads Service significant progress has been made to develop a more flexible approach that meets national and local aspirations on standards and design. He advised that there is reference to road standards in the Placemaking Supplementary Guidance, which is the next item on the agenda, and that a report "Policy for the Construction of Roads suitable for adding to the list of Public Roads Adoption of the National Roads Development Guide and Location Variations" is being presented to Environment and Transport Committee where there are proposals to move away from dated guidance to the

National Roads Development guidance which is a more open and consistent approach.

During the discussion, a Member enquired on any mechanism in place to recognise the increased cost on the Council to adopt roads. It was explained that the Council can decide what roads to adopt as standard, however in regard to Developer Contributions, the Executive Manager – Planning explained that there had been no support from either the Council or developers to develop a Policy, however this was an area that could be worthy of further consideration.

In response to a question, the Executive Manager – Planning provided a brief update to Members on progress to redevelop the Knab site.

Mr Robertson updated the Committee from his recent attendance at the Annual Conveners' Planning Conference, where he advised that the Minister with responsibility for Planning has set in motion a complete review to streamline the planning process. He also advised on the drive to raise the status of planning to be a significant contributor to the economic development of communities.

The Chair advised on his concern at the lack of resources in the Development Plans Team to progress their workload, but said that the priority has to be for the LDP2 to be delivered within the 5 year period.

Decision:

The Development Committee noted the programme and priorities in respect of the LDP2 and SG set out in the report.

02/16

Placemaking Supplementary Guidance – Draft for Consultation

The Committee considered a report by the Team Leader – Development Plans and Heritage (DV-03-16-F) which presented the draft Placemaking Supplementary Guidance (SG), following initial informal consultation.

In introducing the report, the Team Leader – Development Plans and Heritage advised on an additional paragraph that will be added at the Introductory Section of the SG, which will explain the concept of 'Placemaking'. He then outlined the six key qualities that makes a place successful, from paragraph 3.5, and advised on the work being taken forward by the Council's Roads Service to update guidance on road design.

The Planning Officer advised on the engagement with industry representatives during informal consultation, and on their commitment to contribute during the formal consultation process. He added that the key message from the SG is for all developments, whether in a built up area or a rural setting, to be welcoming, distinctive, safe and pleasant.

During the discussion, some Members commented that they welcomed the SG. A Member made reference to section (e) of Policy GP2 "General Requirements for All Developments", at Page 5, where he suggested that further emphasis and definition could be given to the objectives on carbon reduction.

In response to a question, it was advised that the SG will assist developers to better comply with policy on quality of build and spaces between builds, to meet good

planning standards that are sustainable, while it was also noted that a degree of common sense will have to prevail.

In response to questions from a Member, the Planning Officer acknowledged the challenges to align the SG to a rural setting, however he said that the message on design quality is the same whether in a rural area or urban area. The Planning Officer explained the concept of “Home Zones” where larger housing developments are designed so that car users reduce their speed making it more pedestrian friendly, which he said would apply to both the Staneyhill Development and the Knab site.

In response to a question from the Chair, the Team Leader – Development Plans and Heritage advised on the intention that the public and stakeholder consultation on the draft SG would commence within the next few weeks.

Mr Robertson complimented the Planning Officer on the SG, which he said was an excellent document which will guide developers to create good places to live. Mr Robertson moved that the Committee approve the recommendation in the report. Mr Robinson seconded. The Chair commended the Planning Officer and planning staff who have been involved in preparing the Placemaking SG.

Decision:

The Committee **RESOLVED** to agree that the draft Placemaking SG be subject to a six week period of public and stakeholder consultation.

03/16

Digital Connectivity Outline Business Case

The Committee considered a report by the Director of Development Services (DV-06-16-F), which informed of progress in developing the Business Case for the Committee’s further intervention in digital connectivity.

The Director of Development Services summarised the main terms of the report. During the brief discussion, Members made comment on the good progress made, while it was acknowledged that a significant amount of work was still required in a short timescale, for reporting the full Business Case on 24 February 2016.

On the motion of Ms Manson, seconded by Mr T Smith, the Committee approved the recommendation in the report.

Decision:

The Development Committee noted the progress and work plan for the full Business Case which is to be presented to Council on 24 February 2016.

(Mr Robinson declared an interest in the following item as a Board Member of Lerwick Port Authority. Mr Robinson left the Chamber).

04/16

Whalsay Harbour Development Request

The Committee considered a report by the Director of Development Services (DV-08-16-F), which presented a request from the Whalsay community to engage in the development of a Pelagic and Whitefish Processing plant in Whalsay which, as a pre-requisite, would require the Council to significantly redevelop and expand the harbour.

The Director of Development Services summarised the main terms of the report, where he highlighted the high investment cost and high level of risk to the Council.

In response to a comment from a Member, the Director of Development Services advised that the pressure of his other workload had delayed the presentation of this report. The Chair made reference to correspondence he had received from a businessman in Whalsay, that concern had been expressed in regard to the recommendation in the report, where instead the Council should support investment in the development and also into fixed links in the future.

During the discussion, Members acknowledged that the Council was not in a financial position to support such a proposal at this time, and some Members questioned the commercial advantage for fishermen to land their catch in Whalsay rather than in Lerwick or other ports, while it was noted that a pelagic factory in Whalsay would support any case for a tunnel to the island in the future.

The Chair said that while the Council does not have funds at this time to assist the development as requested, he suggested that the Council could offer support should the interested parties develop facilities within the existing framework. During the discussion, some Members advised of their support to the suggestion of the Chair.

During the discussion, a Member made reference to a recent consultation exercise, where the findings would not support a pelagic factory on Whalsay. In that regard, he advised of the concern within Whalsay that consultation had not taken place within the areas involved, or with the Isles' Members or with Shetland Catch.

Following some discussion, Mr Fox moved that the Committee approve the recommendation in the report, with an additional recommendation that should a developer proceed to develop a facility within the existing infrastructure and on a commercial basis, the Council would encourage such a proposal. Mr Cooper seconded.

Decision:

The Development Committee **RESOLVED:**

- Not to pursue the opportunity which is presented by members of the Whalsay community at this time; and
- to instruct the Director of Development Services to write back to the interested parties to advise that the Council does not wish to pursue the opportunity at this time for the reasons stated in Section 3 of the report.
- However should a developer proceed to develop a facility within the existing infrastructure and on a commercial basis, the Council would encourage such a proposal.

(Mr Robinson returned to the meeting).

In order to avoid the disclosure of exempt information, Mr Cooper moved, Mr Robertson seconded, and the Committee agreed to exclude the public in terms of the relevant legislation during consideration of the following items of business.

05/16

Equity Investment

The Committee considered a report by the Director of Development Services.

The Director of Development Services summarised the main terms of the report and responded to Members questions. Following some debate and a vote the Committee agreed to make recommendations to the Policy and Resources Committee.

Decision:

The Development Committee **RESOLVED** to make recommendations to the Policy and Resources.

(Ms Manson and Ms Westlake left the meeting).

06/16

Business Loan Application

The Committee considered a report by the Project Manager which concerned an application for loan assistance.

The Project Manager (W Grant) summarised the main terms of the report and responded to Member's questions.

Following some discussion and on the motion of Mr T Smith, seconded by Mr Robinson, the Committee approved the recommendations in the report.

Decision:

The Development Committee **RESOLVED** to approve the recommendations contained in the report.

The meeting concluded at 12.10pm.

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Chair