

Executive Manager: Jan-Robert Riise
Director: Christine Ferguson

Governance and Law
Corporate Services Department
Montfield
Burgh Road,
Lerwick, Shetland ZE1 0LA

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www.shetland.gov.uk

If calling please ask for
Louise Adamson
Direct Dial: 01595 744555

Date: 11 January 2018

Dear Sir/Madam

You are invited to the following meeting:

Planning Committee
Council Chamber, Town Hall, Lerwick
Thursday 18 January 2018 at 2pm

Apologies for absence should be notified to Louise Adamson at the above number.

Yours faithfully

Executive Manager – Governance and Law

Chair: Mr T Smith
Vice-Chair: Ms A Manson

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest – Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.
- (d) Confirm the minutes of the meeting held on 24 August 2017 (enclosed)

Items

Local Reviews under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) to be considered by the Planning Committee sitting as Local Review Body:

1. Local Review Ref: 2016/434/PPF – LR30 - Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR.



Guidance on Local Review under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) to be considered by the Planning Committee sitting as Local Review Body: Local Review Ref: 2016/434/PPF – LR30 - Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR.

1 Introduction

- 1.1 The Planning Scheme of Delegations that has been approved by the Council, as well as that which has been approved by the Scottish Ministers, identifies the appropriate level of decision making to ensure compliance with the 1997 Planning Act.
- 1.2 The Scheme of Delegations, following the hierarchy of development introduced by the Planning etc. (Scotland) Act 2006 which is at the heart of the modernised planning system, provides that where a decision on an application for planning permission for a local development (as defined in the Hierarchy of Development) is to be taken it may, subject to certain exceptions, be so by officers as have been appointed by the planning authority.
- 1.3 A decision on an application for planning permission for a local development that is taken by an officer (the appointed person) under the Scheme of Delegations has the same status as other decisions taken by the planning authority other than arrangements for reviewing the decision. Sections 43A(8) to (16) of the 1997 Act remove the right of appeal to the Scottish Ministers, and put in place arrangements for the planning authority reviewing these decisions instead.
- 1.4 The Full Council resolved on 12 May 2011 (Minute Ref: 57/11) that the remit of the Planning Committee be extended to include the functions of the Local Review Body, who would review the decision taken.

2 Process

- 2.1 The procedures for requiring a review and the process that should then be followed are set out in regulations. These have been followed in the administrative arrangements that have been carried out for support of this review in accordance with its being the intention that decision making by the Local Review Body will follow a public hearing, although the Review Body can still decide whether or not they wish to proceed on the basis of the papers before them. In addition the Review Body can decide to set some other procedures, such as a site visit (either accompanied or unaccompanied). The procedure by which the case is to be reviewed

however should be confirmed by the Review Body before proceeding to consider evidence.

- 2.2 If the Review Body decide as a preliminary matter, before parties begin presenting their evidence, that a site visit will be necessary it can simply adjourn without hearing evidence. If the site visit process is adopted only those members of the Local Review Body that attend the site visit should then take part in the subsequent decision making meeting. Any members not present when preliminary matters are dealt with can still attend the site visit and hearing provided they have been present when all evidence and submissions have been made. Notice of the date, time and place of the adjourned hearing session to follow the site visit may be announced before the adjournment.
- 2.3 In respect of review in this case the applicant has indicated that in the event the Review Body decides to have a site visit, although it is possible for the site to be accessed safely, and without barriers to entry with it not being possible to view the site entirely from public land, the applicant thinks the Review Body would be unable to undertake an unaccompanied site inspection because, as they explain, they (the applicant) “should be on site to explain the practical aspects of my grievances. It gives the Review Body a chance to see the existing drainage on site and position of wall etc.” It should be noted however that an applicant is not permitted to address the Review Body on the merits of the review during the site visit. Where the Review Body decide to make an unaccompanied site visit the applicant is to be informed of the proposal. Where the Review Body decide to make an accompanied site visit the applicant and any interested party is to be given such notice of the date and time of the proposed inspection as may appear to the Review Body to be reasonable in the circumstances.
- 2.4 The Review Body is, where a decision has been taken that the review is to follow the public hearing procedure, required to follow Hearing Session Rules under Schedule 1 of The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013. In doing so they are to confirm the matters to be considered and the order in which persons entitled to appear are to be heard.
- 2.5 It has been the intention that such hearing sessions will be held in a similar manner to the current Planning Committee, with the Planning Service Case Officer presenting on the matters to be considered, followed by those persons entitled to appear other than the applicant, followed by the applicant, with its being the case that Members of the Review Body can ask questions throughout the process. The hearing session can similarly proceed in the absence of any person entitled to appear at it. The Review Body should confirm this order and confirm the time each person entitled to appear is to be afforded beforehand. During the administrative arrangements that have been carried out the persons entitled to appear have been informed that they will each be given a maximum of 5 minutes.
- 2.6 The Hearing Session Rules prescribe that the hearing shall take the form of a discussion led by the local review body and cross-examination shall not be permitted unless the local review body consider that this is required to ensure a thorough examination of the issues. Persons entitled to appear

are entitled to call evidence unless the local review body consider it to be irrelevant or repetitious. The local review body may also refuse to permit the cross-examination of persons giving evidence, or the presentation of any matter where they similarly consider them to be irrelevant or repetitious.

- 2.7 The matters that are attached for the purposes of consideration by the Review Body in this case comprise: the decision in respect of the application to which the review relates, the Report on Handling and any documents referred to in that Report (including: the planning application form, and any supporting statement and additional information submitted, and consultation responses and representations received prior to the decision notice by the appointed person being issued); the notice of review given in accordance with Regulation 9; all documents accompanying the notice of review in accordance with Regulation 9(4); any representations or comments made under Regulation 10(4) or (6); and any 'hearing statement' served in relation to the review.
- 2.8 In order to be able to give notice of their decision in accordance with the regulations, the Review Body must be clear on the details of the development plan and any other material considerations to which it had regard in determining the application, and, where relevant: include a description of any variation made to the application in accordance with section 32A(a) of the 1997 Act; specify any conditions to which the decision is to be subject; include a statement as to the duration of any permission granted or make a direction as to an alternative; and if any obligation is to be entered into under section 75 of the 1997 Act in connection with the application state where the terms of such obligation or a summary of such terms may be inspected.

planning committee.doc
J R Holden
Planning Committee: 18/1/2018

Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2013

Local Review Under Section 43A(8) of the Town and Country Planning (Scotland) Act 1997 (As Amended)

Regarding Planning Application Reference: 2016/434/PPF

Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate

8 Harbour Street, Lerwick, Shetland, ZE1 0LR

By Mellivora Capensis

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Section 11.	Hearing Statements

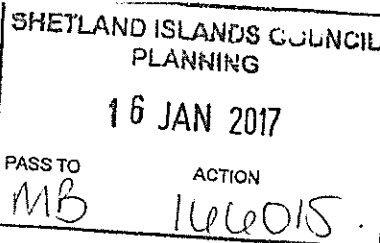
Section 1. Planning Submission – 2016/434/PPF

Development Services

Planning Service

Shetland Islands Council

Planning Application



FOR OFFICIAL USE ONLY

Reference No:

Associated Application No:

Registration Date:

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997, AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006. TOWN & COUNTRY PLANNING (HAZARDOUS SUBSTANCES) (SCOTLAND) ACT 1997.

(PLEASE READ THE NOTES FOR GUIDANCE BEFORE COMPLETING THIS FORM. IT IS IMPORTANT THAT THIS FORM IS COMPLETED CORRECTLY TO AVOID DELAYS IN PROCESSING).

Separate forms must be completed for applications for House Alterations and Extensions, Listed Building Consent, Conservation Area Consent, Advertisement Consent and other categories of application.

1

I/We Apply To The Council For: Please tick relevant box

Full Planning Permission (FPP)



Renewal of Temporary Permission ☐

Planning Permission in principle (PPP)



Variation of a planning condition(s) ☐

Approval of matters specified in conditions (AMC) ☐

Reference number(s) of previous planning application(s)/permission(s) (if known) _____

Reference number(s) of proposal of Application Notice(s) (if applicable) _____

Have there been any pre-application discussions with planning? YES ☒ NO ☐

If yes, what type:

Telephone Letter Meeting

e mail

Pre-application officer's name:

Dale Hunter

2

The Application is considered to be a:

National Development ☐

Major Development ☐

Local Development ☒

3

Applicant's Name only: MELLIVORA CAPENSIS®

4

Full Address or Location of Proposed Development please include postcode

HARBOUR COURT, 8 HARBOUR STREET, LERWICK

POSTCODE ZE1 0LR

5

Existing Use of Land and/or Buildings please give details

COMMERCIAL STORAGE BUILDINGS

6

Description of Proposed Development please specify what is being proposed

EXTEND EXISTING BUILDING BY ADDING LOW
LEVEL WRAP ROUND EXTENSION, FIT CONSERVATION
VELUX IN EXISTING PYRAMIDICAL ROOF USING GREY
CORRUGATED SHEETS AS COVERING. INSTALL GATE
AT SOUTH EAST WHERE WALL IS REMOVED. 24/1/17 MS.

7 Residential Development

Number of dwelling houses proposed _____ Site Area (hectares) _____

8 Commercial/Industrial Development

	Existing	Proposed
(a) Site Area (gross)	0.0118 hectares	0.0118 hectares
(b) Manufacturing/Production area	_____ sq m	_____ sq m
(c) Storage Area	60 sq m	86 sq m
(d) Office/Ancillary Area	_____ sq m	_____ sq m
(e) Retail (Net Floor Area)	_____ sq m	_____ sq m
(f) Intended hours of Operation	8 hrs	5 days
(g) Types of vehicles and number of movements	No. 1	Type: VAN
(h) Present and proposed staff numbers	Present: 0	Proposed: 0

9 Proposed Access Arrangements

Please tick relevant boxes and note that such details are required for PPP applications

Do you intend to:

use an existing access



improve an existing access



form a new access



10 Parking

Number of existing parking spaces on site 0

Number of additional parking spaces proposed 0

11 Proposed Drainage Connections

Please tick relevant boxes

Drawings indicating whether disposal method proposals are new or as existing should be submitted including location of outfalls, connections etc.

(a) Foul Drainage

to public sewer	<input checked="" type="checkbox"/>	to existing septic tank	<input type="checkbox"/>
to new septic tank with soakaway	<input type="checkbox"/>	to new septic tank with sea outfall	<input type="checkbox"/>

(b) Surface Water - Please give full details and drawings

Public Sewer ☒
Other ☐

Sustainable drainage system ☐

12**Proposed External Building Materials And Colour Finishes**

Outside walls and roof covering SLATE ON WALLS - GREY CORRUGATED SHEET
MINERAL FELT

Parking areas/Driveway surface

Landscaping

Windows / Doors LOCALLY MADE HARDWOOD DOUBLE GLAZED

Boundary treatment (fences, walls etc.) WOODEN GATE

13**Hazardous Materials**

Does the proposal involve the use, storage or manufacture of hazardous materials? Yes ☐ No ☒

If the proposal involves the use, storage or manufacture of any "hazardous materials" (such as liquified Petroleum Gas, Hydrogen, Liquid Oxygen, or any explosive) please give details and the quantities in a covering letter.

14

Any other particulars to which the applicant wishes to draw attention

15 LAND OWNERSHIP CERTIFICATE

Regulations 15 (1). The Town & Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

You must fill in an appropriate certificate of land ownership.

If you do not own all of the land or property to which this application relates, you must notify all the owners and agricultural tenants at the same time as submitting this form.

If you are unable to identify relevant parties then please contact the Development Management Service within the Planning Service by using the details at the end of this form.

A I hereby certify that: Please tick **one** box

1. 21 days before the date of this planning application, the applicant owned all the land to which this application relates. ☒
- or
2. The applicant has given notice to all persons who, 21 days before the date of this planning application, owned any part of the land to which it relates. They are: ☐

NAME OF OWNER	ADDRESS	DATE NOTIFIED

B I further certify that: Please tick **one** box

1. 21 days before the date of this planning application, none of the land formed part of an agricultural holding ☒
- or
2. The applicant has given notice to every person who, 21 days before the date of this application, was a tenant of an agricultural holding, any part of which formed part of the application site. These persons are: ☐

NAME OF TENANT	ADDRESS	DATE NOTIFIED

or

3. The land forms part of an agricultural holding, but there are no tenants. ☐

16 CHECKLIST

Checklist Please tick all relevant boxes

- I enclose 1 copy of this form
- I enclose 2 sets of the necessary plans and drawings
- I have completed and enclosed the land ownership certificates
- I enclose the necessary fee of £ _____
- I enclose 2 copies of a design statement (if necessary)
- I enclose 2 copies of a design and access statement (if necessary)

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Your application cannot be registered until all these documents and fee are received.
Failure to submit a PAC report when necessary will result in the application being returned.

17

Applicant's Details

NAME MELLIVORA CAPENSIS ⁽²⁾
ADDRESS
C/O 45 ST OLAF STREET
LERWICK

POSTCODE ZE1 0EN
TELEPHONE [REDACTED]
FAX [REDACTED]
EMAIL [REDACTED]

Please tick the box if the applicant is an Elected
Member of Shetland Islands Council ☐

18

Agent's Details

NAME MICHAEL STEWART
ADDRESS
45 ST OLAF STREET
LERWICK

POSTCODE ZE1 0EN
TELEPHONE [REDACTED]
FAX [REDACTED]
EMAIL [REDACTED]

Please tick the box if the agent is an Elected
Member of Shetland Islands Council ☐

19

Contact Details

NAME
ADDRESS AS AGENT

POSTCODE
TELEPHONE
FAX
EMAIL

20 Declaration

You should check that you have completed questions 1-13 and the Land Ownership Certificates correctly.

You should now sign the declaration below.

I HEREBY CERTIFY THAT THE INFORMATION GIVEN BY ME IN THIS FORM IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Signature of applicant/agent (delete where inappropriate)

Date

16-1-17

IMPORTANT: ANYONE WHO KNOWINGLY OR RECKLESSLY MAKES A FALSE DECLARATION IS LIABLE, ON CONVICTION, TO A FINE OF CURRENTLY UP TO £2000.

Completed applications should be sent to:

Shetland Islands Council
Planning Service
Development Services
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

Telephone: 01595 744293
e-mail: planningcontrol@shetland.gov.uk
Visit: www.shetland.gov.uk

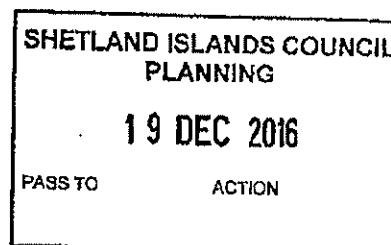
Neighbour Notification

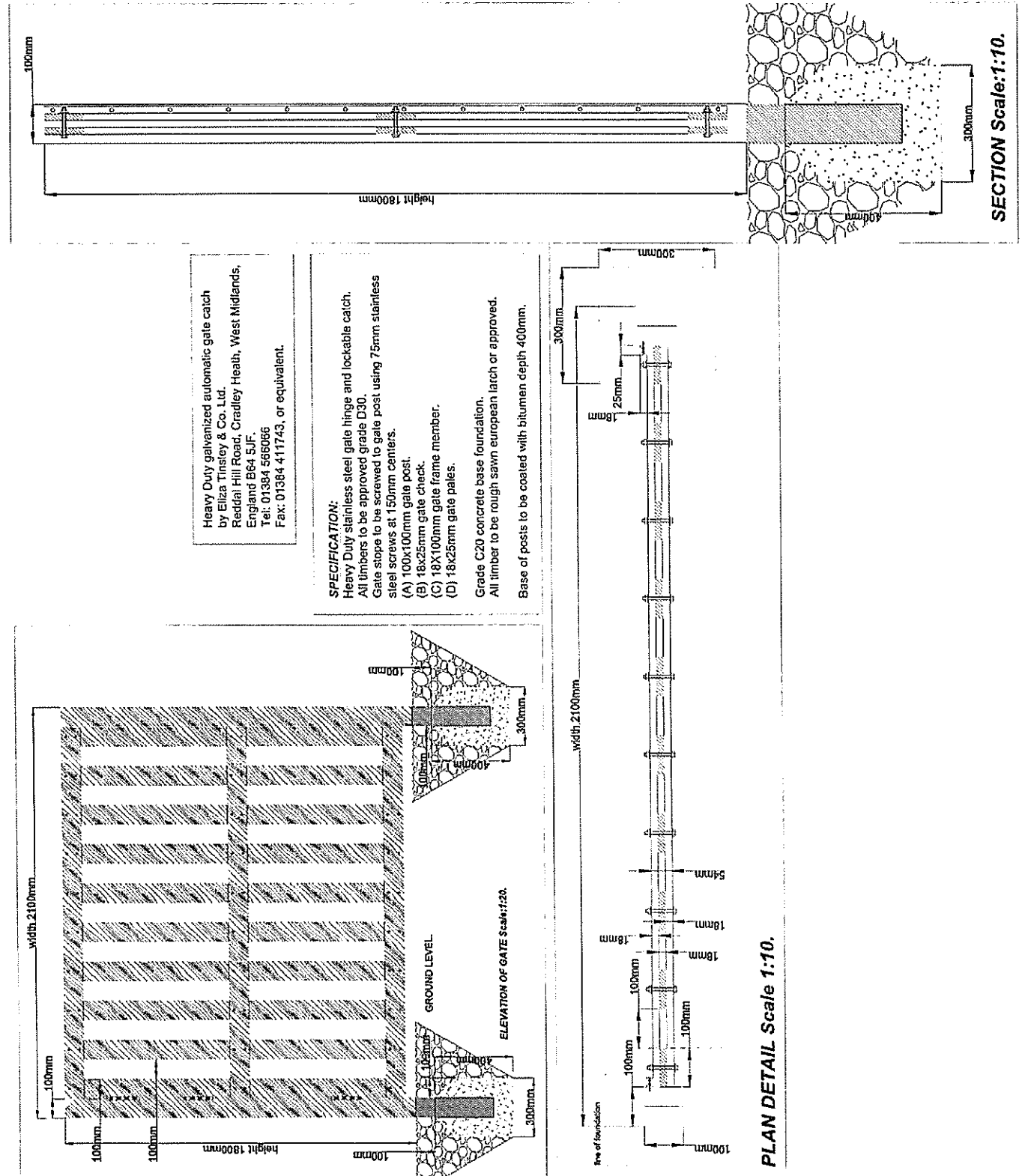
Domestic Property

1. Owner. Hjaltsland Housing Association, Flats 1-15 Excelsior Place, Harbour Street, Lerwick.
Occupiers. Flats 1-15 Excelsior Place, Harbour Street, Lerwick.
2. Owner. Hjaltsland Housing Association, Flats, 2 Harbour Street, Lerwick.
Occupiers Flats, 2 Harbour Street, Lerwick.

Non-Domestic Property

1. Owner. Hjaltsland Housing Association, 2 Harbour Street, Lerwick
2. Owner. Lerwick Feuars and Heritors, c/o Anderson & Goodlad, 52 Commercial Street, Lerwick.
Occupier Cindys Hairdresser, 13 Harbour Street, Lerwick.
3. Owner WH & JG Manson, Mangaster, Shetland.
Occupier Indian Ahar per Monjur Ibqal, 11 Harbour Street, Lerwick.
4. Owner Jim Ivens
Occupier Dave Hammond, 9 Harbour Street, Lerwick.
5. Owner Voluntary Action Shetland, Market Street, Lerwick
Occupier Car Park, Market Street, Lerwick.
6. Owner Fort Charlotte, Historic Environment Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH





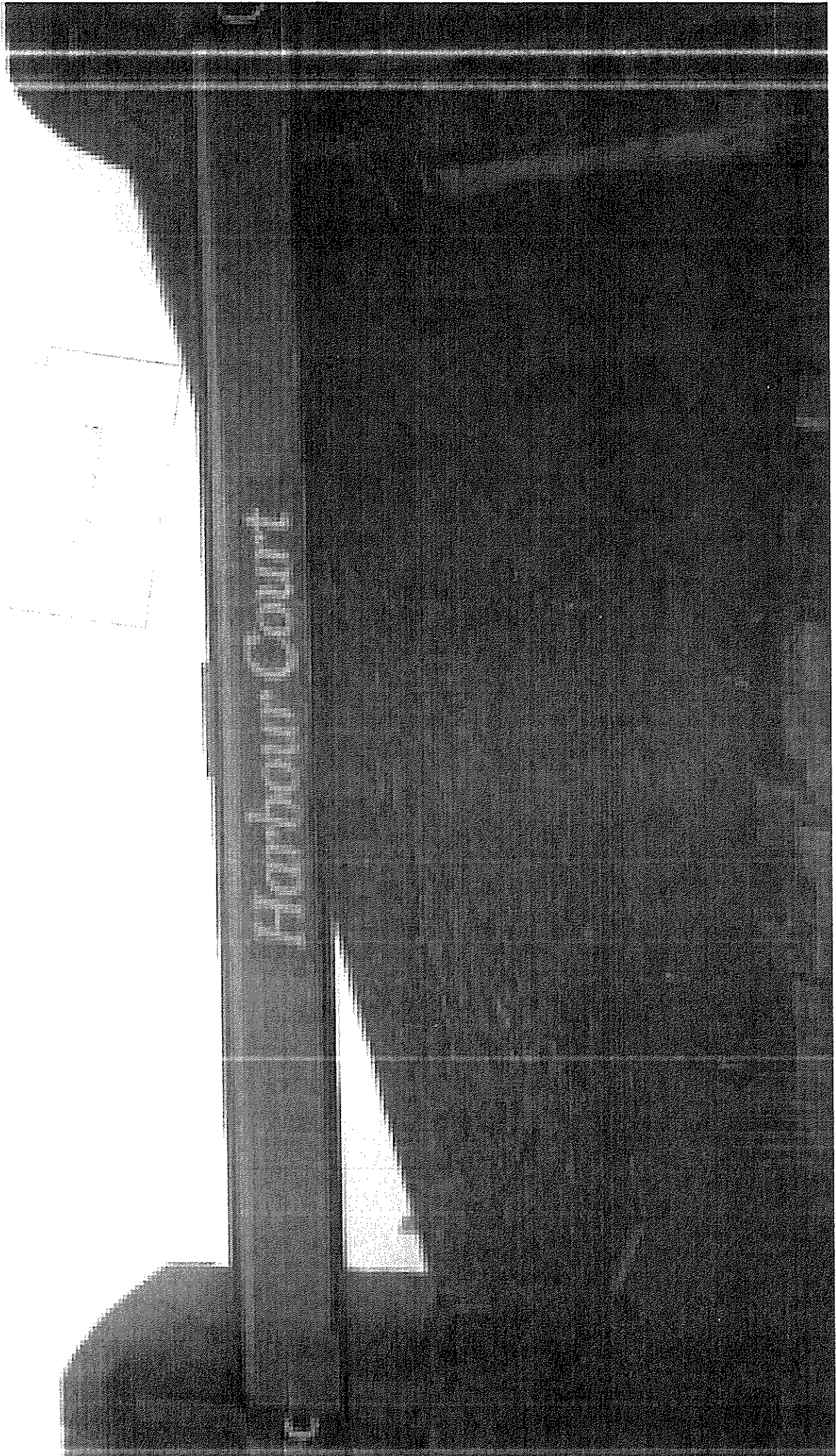
Heavy Duty galvanized automatic gate catch
by Eliza Tinsley & Co. Ltd.
Reddall Hill Road, Cradley Heath, West Midlands,
England B64 5JF.
Tel: 01384 566066
Fax: 01384 411743, or equivalent.

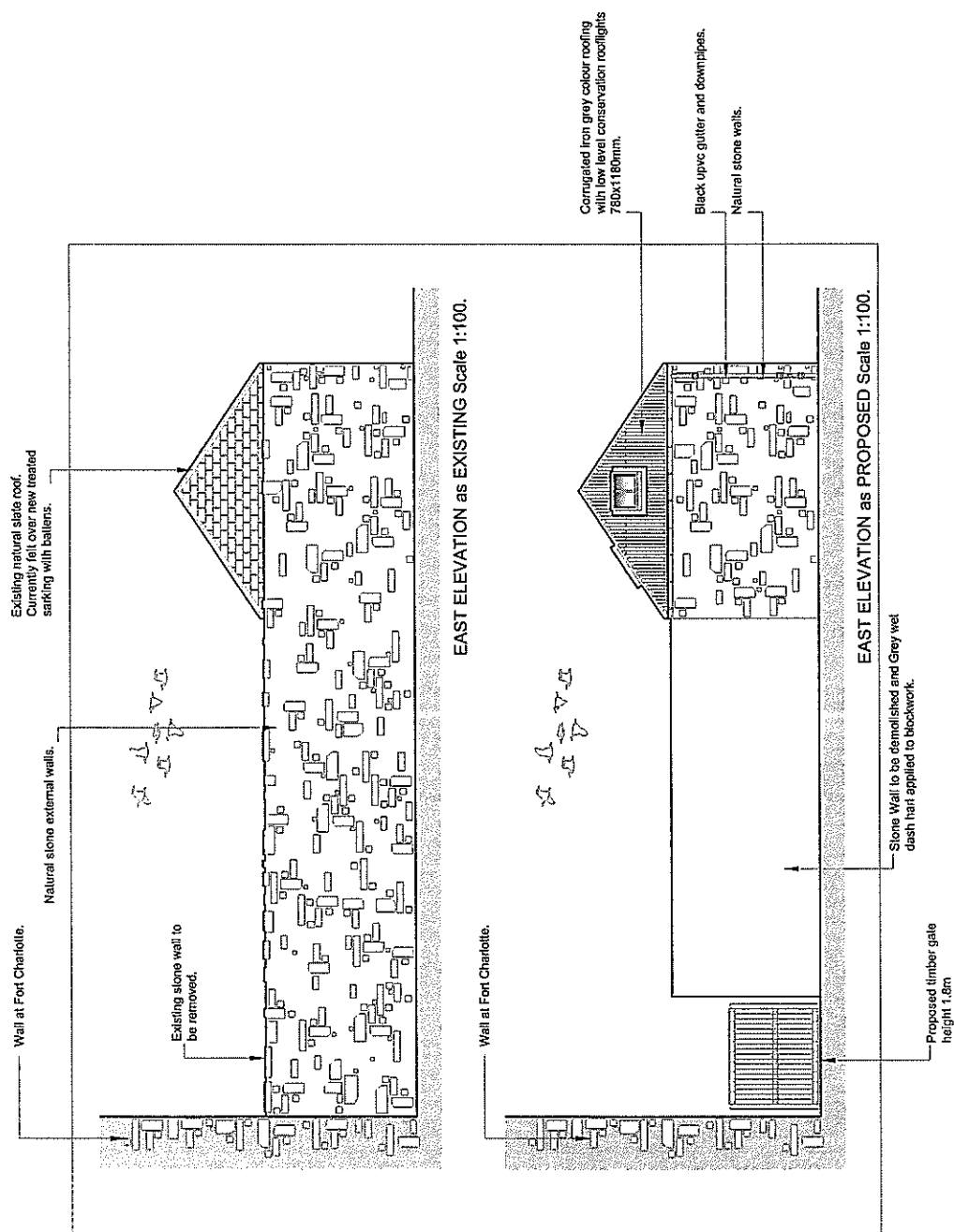
SPECIFICATION:
Heavy Duty stainless steel gate hinge and lockable catch.
All timbers to be approved grade D30.
Gate stops to be screwed to gate post using 75mm stainless
steel screws at 150mm centers.
(A) 100x100mm gate post.
(B) 18x25mm gate check.
(C) 18x100mm gate frame member.
(D) 18x25mm gate pales.
Grade C20 concrete base foundation.
All timber to be rough sawn european larch or approved.
Base of posts to be coated with bitumen depth 400mm.

SHETLAND ISLANDS COUNCIL
PLANNING
16 JAN 2017
PASS TO ACTION

Property: Harbour Court, Lerwick.
Title: Timber Gate Detail.
Client: Mellivora Capensis.
Drg. no. A(GD)1
Date: November 2016.

2016/434/PDF-01...



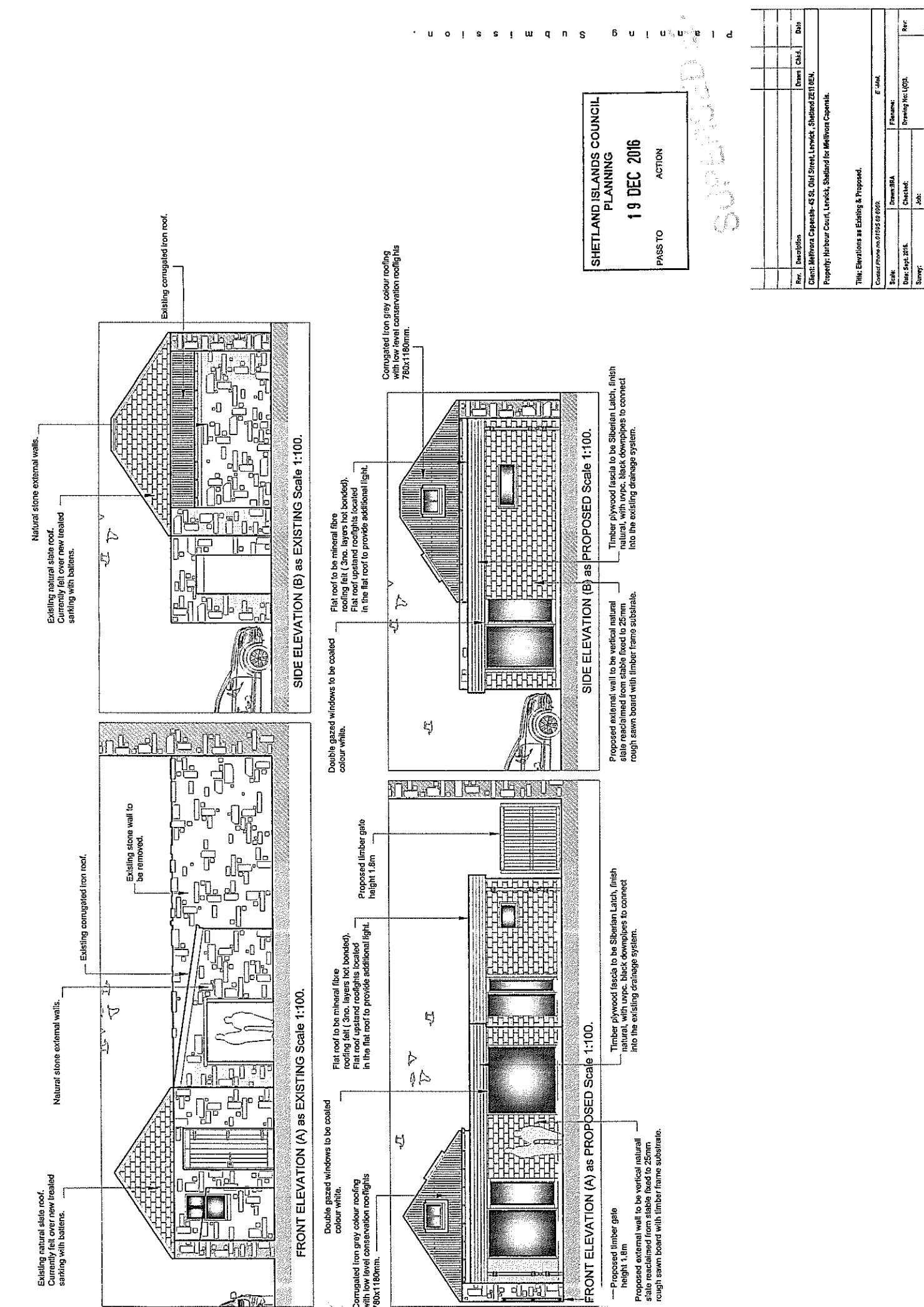


**SHETLAND ISLANDS COUNCIL
PLANNING**

16 JAN 2017

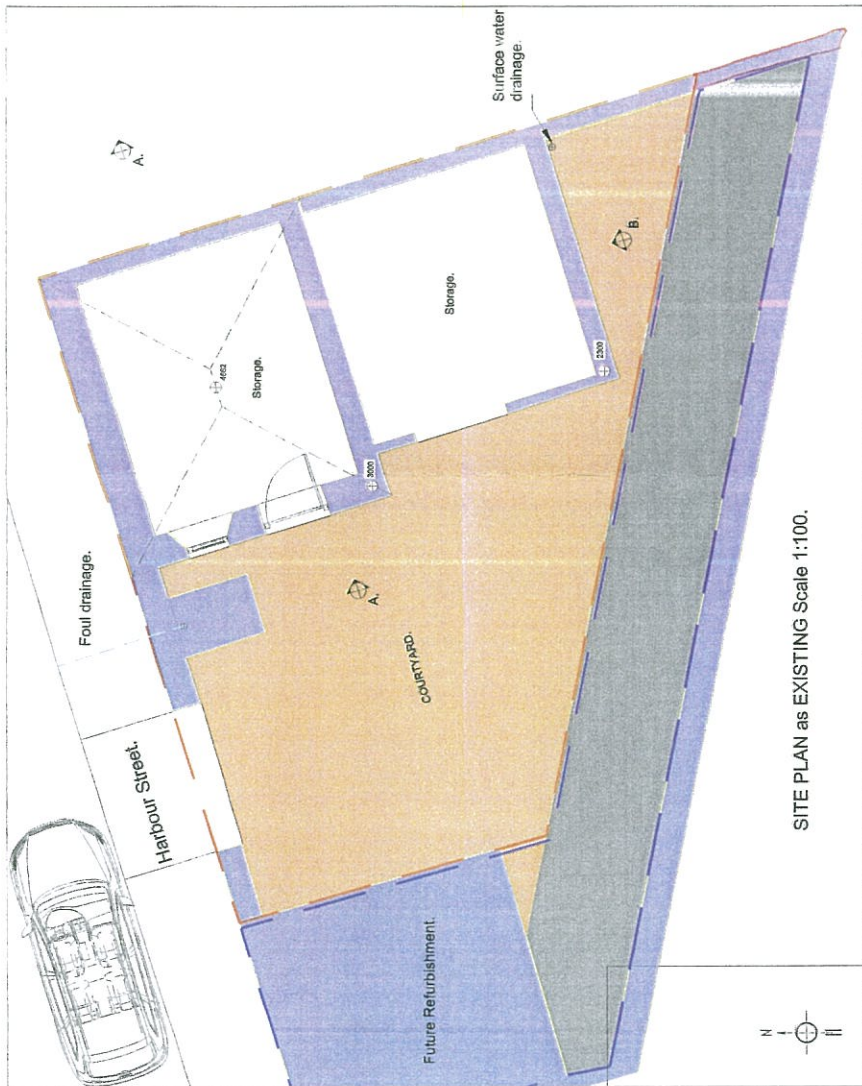
PASS TO ACTION

A.		B.		C.		D.	
Ref.	Description	Drawn	Chk'd.	Date			
	Planting requested east Elevation submitted.						
	Client: Melivora Capensis- 45 St. Old Street, Lawick, Shillong ZEE DEN.						
	Property: Harbours Court, Lawick, Shillong for Melivora Capensis.						
Title: East Elevation as Editing & Proposed.							
Contact Phone no. 01925 69 9963							
E-Mail:							
Scale: 1:100.		Drawn:RA		File name:		Rev:	
Date: Jan-2017.		Checked:		Drawing No.: 094.		A	
Job:							



SHEETLAND ISLANDS COUNCIL
PLANNING
19 DEC 2016
PASS TO ACTION

Rev.	Description	Drawn	Checked	Date
1	Client: Melville Capetown 45 Old Street, Lenwick, Shetland ZE11 0EN. Property: Harbour Court, Lenwick, Shetland for Melville Capetown.			
Title: Elevations as Existing & Proposed.				
Contract Ref: 001/15/15/000000				
Scale:	Drawn: BJA	Filename:	Rev:	
Date: 5th Dec. 2016.	Checked:	Drawing No: 1001.	Rev:	
Survey:	Job:			

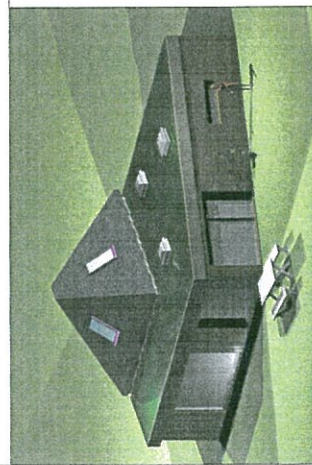


SITE PLAN as EXISTING Scale 1:100.

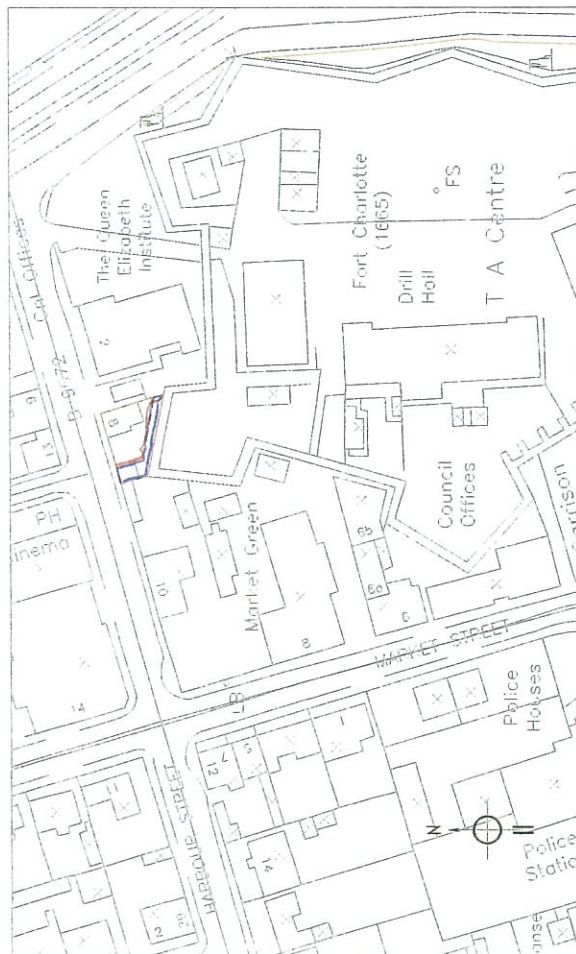
SKETLAND ISLANDS COUNCIL
PLANNING
19 DEC 2016
PASS TO ACTION

SUPERSEDED

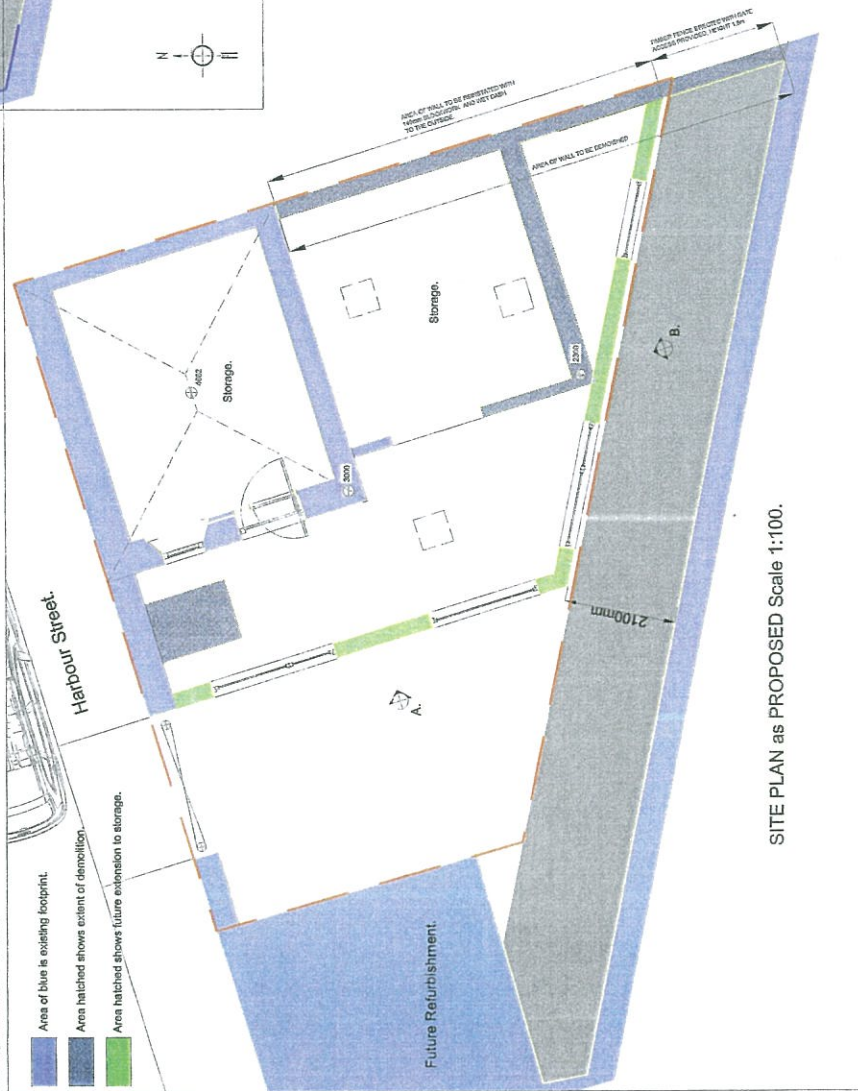
Rev.	Description	Drawn	Chkd.	Date
1	Client: Mellivora Capensis- 46 St. Old Street, Larwick, Shetland ZE1 0EN.			
2	Property: Harbour Court, Proposed Extension to commercial storage Lewis, Shetland, for Mellivora Capensis.			
Title: Site Plan as Existing & Proposed.				
Contact Phone no. 01559 69 0920				
Ed: 19/12/2016				
Scale: 1:200 1:1250	Drawn: BBA	Filename:		
Date: Sept. 2016	Checked:	Drawing No: L002.	Rev:	
Survey:	Job:			



3D view of extension.



Locality Plan scale 1:1250.



SITE PLAN as PROPOSED Scale 1:100.

- Area of blue is existing footprint.
- Area hatched shows extent of demolition.
- Area hatched shows future extension to storage.

Subject:FW: 2016/434/PPF - 8 Harbour Street

From: michael stewart [REDACTED]
Sent: 31 March 2017 10:43
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

I will leave the new plans at your office today.

These are as discussed at your site visit.

There are enough reclaimed slates saved to do the pyramidal roof.

I have shown the walls in grey corrugated sheeting.

The drains as existing and proposed are shown on a plan as well.

The drains already take the existing surface water as well as the roof water so the flat roof extension will be using the same drains and will not increase the amount of water flowing into them.

Regards

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 23 March 2017 15:43
To: [REDACTED]
Subject: FW: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Thanks for meeting on site earlier in the week.

I have discussed the proposal with the Drainage Engineer about the details that would be looking for. I would appreciate if you could mark on the site plan the drains that you showed me on site and drew a line to show where each of them connect into the public system and confirm on the drawings that you believe there is capacity to cope with the surface water arising from the site. While SUDS are required for new development, the proposed roof would not introduce more hard surface than there already is on site and we would not require SUDS in this instance.

The Drainage Engineer highlighted that there may be difficulties at the Building Warrant Stage for the proposed building with the regards to the method of connecting the proposed roof into the existing surface water drainage and said it may be best to speak to Building Standards at this stage to prevent issues in future. We wouldn't be looking for that level of detail at the planning stage so I don't think this would affect the application.

I have discussed the proposed use of materials with my colleagues in the team. Given the prominence of the roof within Harbour Street and the historic nature of the yard I would be unable to support the use of the corrugated metal on the roof in that location. I would encourage you to maintain the original slates on the pyramidal roof and alter the drawings to show that.

If you wish to discuss the above feel free to call on 01595 743963.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

From: Hunter Dale@Development Management

Sent: 16 March 2017 09:55

To: 'michael stewart'

Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Are you free from 11am today? Sorry for the short notice.

Thanks

Dale

From: michael stewart [REDACTED]

Sent: 15 March 2017 09:37

To: Hunter Dale@Development Management

Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale, not today but anytime after 11AM this week or next.

Let me know what suits.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 14 March 2017 16:32
To: [REDACTED]
Subject: 2016/434/PPF - 8 Harbour Street

Hi Michael,

I have been allocated the above planning application and I've started looking into it. Would you be free this week to have a quick meeting on site to discuss the use of materials, the drainage arrangements and the monument consent? I'm available all week except Friday morning.

Kind Regards

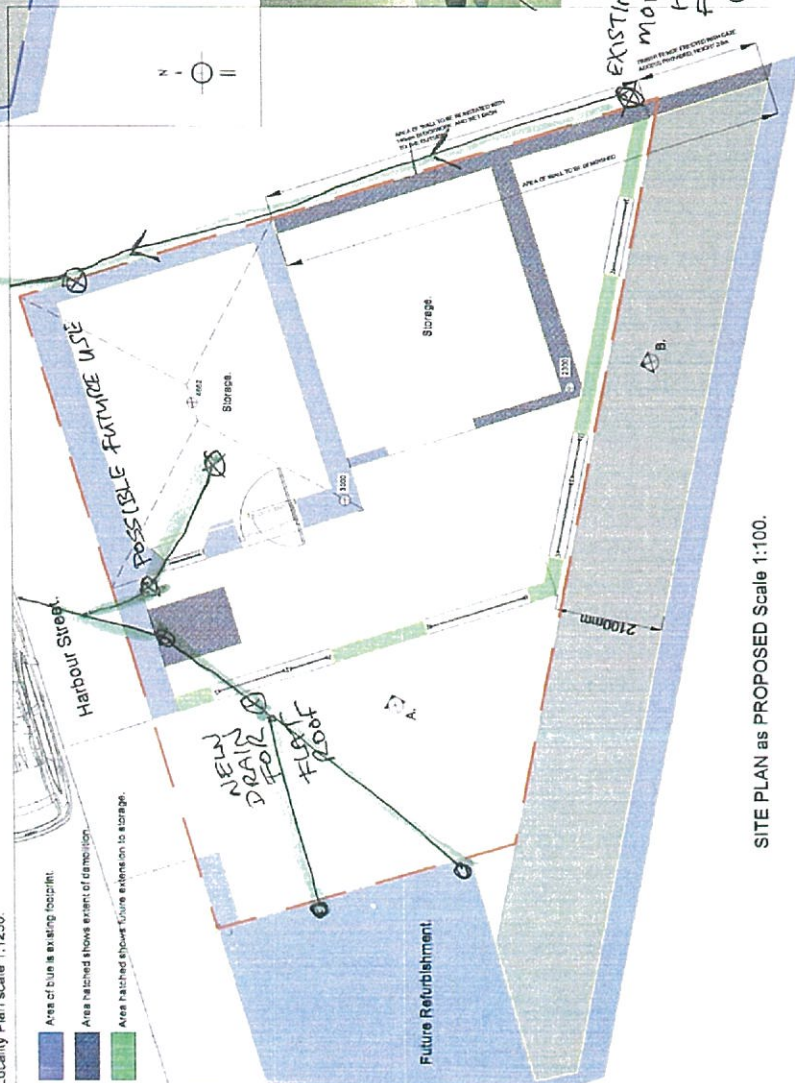
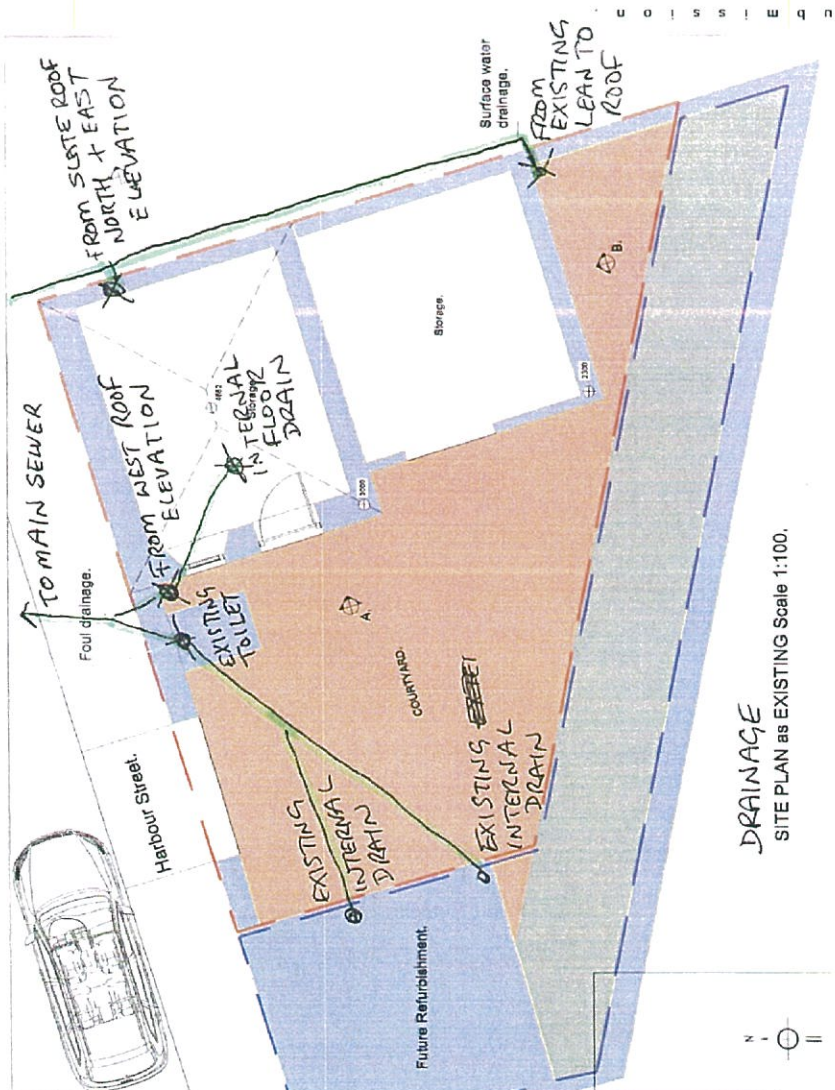
Dale

Dale Hunter

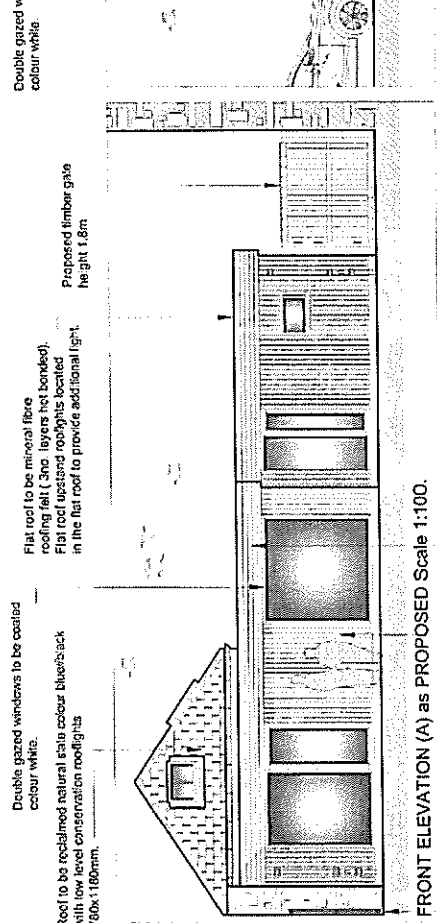
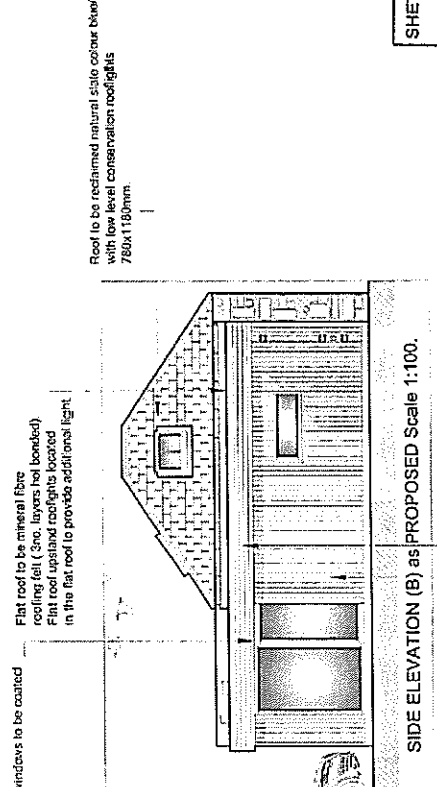
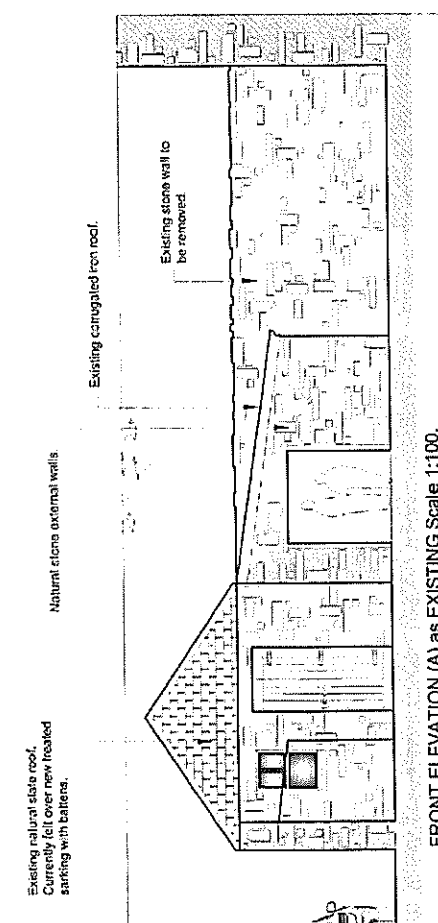
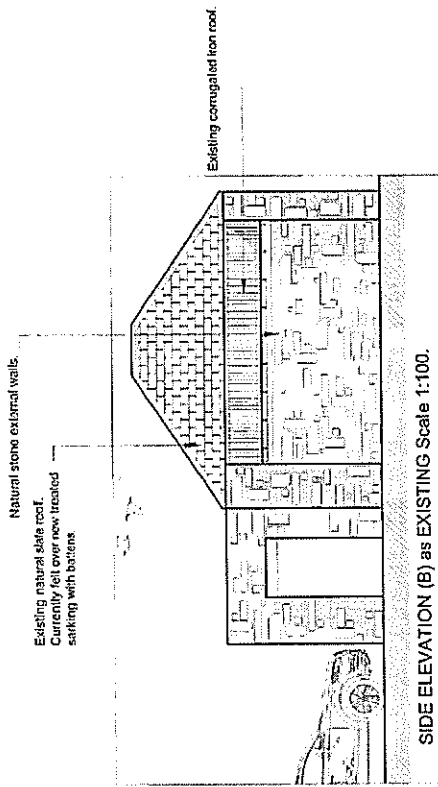
Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ



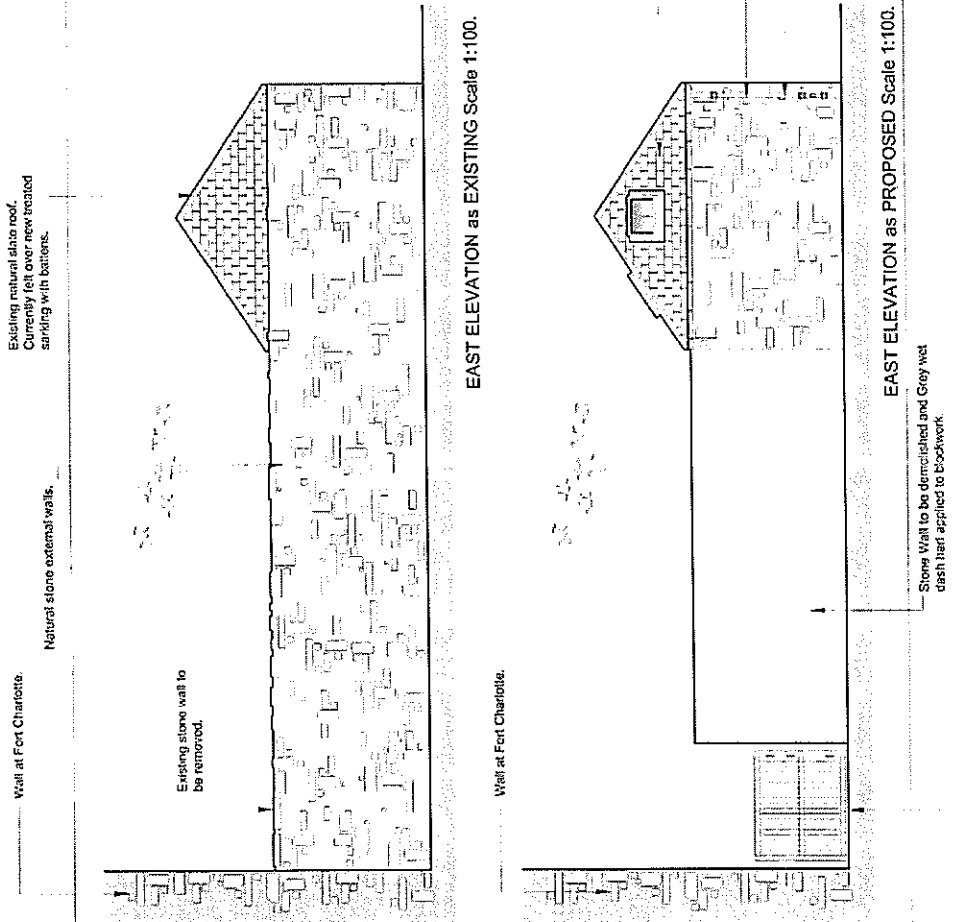
Rev.	Description	Drawn	Chk'd	Date
	Client: Michael Szwarc, 45 St. Clair Street, Livewick, Shetland ZE1 0EN.			
	Property: 8 Harbour Street, Proposed Extension to commercial storage Livewick, Shetland.			
	for Michael Szwarc.			
	Title: Site Plan as Existing & Proposed.			
	Contact: Phone no. 01658 85 8910.			
	Drawn: MJA			
	Scale: 1:250			
	Check'd:			
	Date: Sept. 2016.			
	Survey:			
	Job:			
	File no:			



SKETLAND ISLANDS COUNCIL
PLANNING
31 MAR 2017
PASS TO ACTION

SKETLAND ISLANDS COUNCIL
PLANNING
31 MAR 2017
PASS TO ACTION

Rev	Description	Drawn	Checked	Date
1	Issue for planning	1	1	1
2	Issue for planning	2	2	2
3	Issue for planning	3	3	3
4	Issue for planning	4	4	4
5	Issue for planning	5	5	5
6	Issue for planning	6	6	6
7	Issue for planning	7	7	7
8	Issue for planning	8	8	8
9	Issue for planning	9	9	9
10	Issue for planning	10	10	10
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SHETLAND ISLANDS COUNCIL
PLANNING
31 MAR 2017
PASS TO ACTION

Rev	Description	Drawn	Checkd	DM
A	Proposed new stone wall Extension attached			
Client: Mullion's Capensis 45 St. Gull Street, Linnick, Shetland ZE1 9EN				
Proposing: Natural Stone, Linnick, Shetland for Mullion's Capensis.				
Title: East Elevation as Existing & Proposed				
Contact Phone no 01555 66 6679				
Scale: 1:100	Drawn: BJA	Checkd:	Rev:	A
Date: Jan 2017	Drawn No: 1004	Checkd:	Drawn No: 1004	
Survey:	Job:			

Section 2. Statutory Advert

PUBLIC NOTICES

Shetland Islands Council

These applications, associated plans and documents can be examined, 09.00-17.00, Monday-Friday, at: Shetland Islands Council, Planning Department, Train Shetland, Gremista Industrial Estate, Gremista, Shetland, ZE1 0PX. Please call 744293 to make an appointment if you wish to discuss any application. Applications, associated plans and documents can also be viewed on the Council website at www.shetland.gov.uk

Town and County Planning (Development Management Procedure) (Scotland) Regulations 2013
Format: Ref No; Proposal & Address

2017/022/PFPF: To construct new dwelling house with air source heat pump; Plot 3, Fligalee, Cummingsburgh, Shetland, ZE2 9HB

2017/024/PFPF: Reclamation of foreshore at area known as Tods Buildings, north of Lerwick Marina. Area to be filled with granular material and used to park haulage vehicles and equipment; North of Lerwick Marina, Gremista, Lerwick, Shetland

2017/008/MAR: To relocate the longlines at an existing site comprising of five 170m and three 130m twin-headline longlines for the on-growing of mussels and to change the site boundary (part retrospective); Holm Of Brough, Langsund, Barra

2017/026/PFPF: Proposed extension to existing dwelling house; Roadside, Cott, Weisdale, Shetland, ZE2 9LN

2017/028/PFPF: Telecom mast elevation (15m) 3 antenna 3no dishes and associated equipment; Whitesness, Walls, Shetland, ZE2 9NR

2017/029/PFPF: To construct new dwelling house with air source heat pump; Plot 03, Cullisler Park, Busta, Brae, Shetland, ZE1 0SE

2017/025/PFPF: Farmshop sewer installation; Aithsater, Cummingsburgh, Shetland, ZE2 9HG

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email development.management@shetland.gov.uk by 3rd March, 2017.

Town and Country Planning (Scotland) Act 1997 and Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987
Format: Ref No; Proposal & Address

2016/434/PFPF: Demolish wall next to Fort, extend existing stone, change roof material, fit sign above door (retrospective), install wooden gate; 8 Harbour Street, Lerwick, Shetland, ZE1 0LR

2017/031/PFPF: replace existing pitched roof slates with new Spanish slates and associated lead flashings together with replacing existing rear flat roof lean to steel profiled sheets with GRP roof membrane; 77 King Harald Street, Lerwick, Shetland, ZE1 0ER

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email development.management@shetland.gov.uk by 10th March, 2017.

CONTRACTS



Approved Maintenance Contractor List 2017 - 2019

Shetland NHS Board are seeking to appoint suitably qualified contractors for the provision of reactive maintenance and repair services across the entire NHS Shetland estate of 32 properties.

The contracts shall generally comprise services as individually detailed.

1. Ground works
2. General building works
3. Floor coverings
4. Painting and decorating
5. Roofing works
6. Reactive Maintenance Service (including Call Out Service)

1. Plumbing - LPHW heating systems, CWS and DWS services.
2. Legionella Control
3. Automatic Door
4. Sewage Pumps
5. Generators - Servicing and Maintenance
6. Bespoke Fabrication

1. Reactive Maintenance Service (including Call Out Service)
2. Heating, Ventilation and Air Conditioning
3. Air Conditioning Plant
4. Fire Dampers
5. Reactive Maintenance Service (including Call Out Service)

Contractors wishing to express interest in being included on this select list for competitive tendering must apply in writing stating each service that they wish to be considered for (e.g. A - Building Services, to Lawson Monfield, Burch Road, Lerwick, Shetland, ZE1 0LA (Tel 01595 743029; e-mail lawson.bisset@nhs.net) for receipt by no later than 10th March 2017.

For further technical information relating to any of the above contracts please contact Mike Gray, Estates Maintenance Manager on 01595 743084 or e-mail michael.gray@nhs.net

Documentation is anticipated to be issued for completion and return by 31st March 2017.

GOODS VEHICLE OPERATOR'S LICENCE

Shetland Quality Construction Ltd. of 5 Fograion, Lerwick, Shetland ZE1 0SE, is applying for a licence to use Greenhead ZE1 0PY as an operating centre for four goods vehicles.

Owners or occupiers of land (including buildings) near the operating centre who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at: Hiltop House, 396 Herahills Lane, Leeds, LS9 9NF stating their reasons, within 21 days of this notice. Representations must be made to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

SHETLAND ISLANDS COUNCIL

The Council proposes to make the Shetland Islands Council (Various Places for Disabled Person's Vehicle) Regulation 2017, under the Road Traffic (Vehicle Excise and License) Act 1994, as amended to introduce disabled parking spaces in Harbour Street, St Olaf Street, Lerwick and at Voe Public Toilets. Only Blue Badge holders, police or emergency vehicles will be permitted to park on that sections of Harbour Street, St Olaf Street, Lerwick and Voe which will be appropriately marked out. Full details of the proposed Orders can be examined at the Roads Service, Gremista, Lerwick, Non-Fri 9am to 5pm until 17/03/17. Objectors must state their reasons in writing by 17/03/17 to: Director of Infrastructure Services, Lower Building, Gremista, Lerwick ZE1 0PX.

PROPOSED SURREY OF A CROFT

Christina Ferguson is applying to the Crofting Commission for consent to sublet the whole croft (with the exception of the house and garden grounds) at Cullumbus, Sandisig (Reg number Z1504), to Gary Alister John Johnson of Stenvalis, Westerdale, Shetland, ZE2 9NL, for 10 (ten) years. If you consider you have a relevant interest in this application, you may submit comments in writing to the Crofting Commission, Great Glen House, Leachkin Road, Inverness, IV3 8NW or email: info@crofting.scotland.gov.uk within 28 days from the date of publication of this advert. Please note that any comments you provide are part of an open process and will be made available to all.

SHETLAND ISLANDS COUNCIL Ports & Harbours Operations

Notice to Mariners No 01/2017

Notices to Mariners are cancelled when work is completed, the Notice No is no longer valid or the information has been deemed to be sufficiently promulgated. Mariners are advised that, at the time of issue, all Notices to Mariners up to, and including 08/2016 are now cancelled with the exception of:

- 01/2002 Unsl, Shetland Islands - Bailasound Harbour, BA Chart 3293
- 03/2010 Sullom Voe Harbour - Use of Fireworks
- 04/2014 WRECK WARNING - West Burrahead Approaches
- 06/2014 Dangerous Incident
- 07/2014 Main Channel Depth and Navigational Marks - Scalloway Harbour, Shetland.
- 08/2014 New Navigational Marks - Scalloway Harbour, Shetland.
- 02/2016 Scalloway Harbour - West Pier Berthing Restrictions
- 04/2016 Scalloway Harbour - VHF Radio Channel 12
- 08/2016 Old Tolt Pier - Closed to all users and access

A full list of current Local Notices to Mariners will be maintained at: <http://www.shetland.gov.uk/ports/> or by contacting Reception, Ports & Harbours Operations, Port Administration Building, Seila Ness, Shetland ZE2 9OR. Tel. 01806 244200

Harbour Master Shetland Islands Council

Date of issue: 14 February 2017

SCALLOWAY BOATING CLUB

Port Arthur, Scalloway

AGM

The AGM will be held on Sunday, 5th March, 2017 at 8.00pm.

Stay in touch and up to date with our ANNUAL SUBSCRIPTIONS

Section 3. Consultation Responses

From:Smith Colin@Marine Planning
Sent:Wed, 15 Feb 2017 09:14:04 +0000
To:Development Management@Development
Subject:RE: Planning Consultation 2016/434/PPF

Background

This is an application to extend an existing store at Harbour Street, Lerwick.
 The submitted plans do not include detail on drainage proposals. The application notes surface water discharge to public sewer.

Comments

To comply with the Water Framework Directive the drainage design should include sufficient attenuation to at least reduce flows during 1 in 10 year rainfall events to the level which would have occurred before the development.

The plans do not show any drainage beyond noting the fitting of new downpipes from roof gutters. It is not clear if all of the roof area will be collected and discharge on the east side of the building, or whether use will be made of any existing or proposed drainage within the courtyard.

The proposals do not increase the amount of hard area within the site, although they may change where water draining from the hard areas flows.
 Given the site restrictions it would appear that any SUDs provision within the proposed site would have to be provided by some form of underground water storage volume.

No details have been provided of the drainage system to be connected to. The application form notes discharge to the public sewer although, given the likely age of drainage systems in the area, any below ground pipework immediately adjacent to the site may or may not be public sewer, and may or may not connect to a sewer.

The capacity of the existing pipework would be a factor if a SUDs system was to be designed, and would similarly also be required to show that a drainage layout without a SUDs system would not overflow.

Colin Smith

Planning Engineer

Shetland Islands Council | Train Shetland | Gremista | Lerwick | Shetland

Tel +44 (0)1595 744881

Email colin.smith@shetland.gov.uk

From: Development Management@Development
Sent: 09 February 2017 14:21
To: Sandison, Marie; Planning Flooding Drainage Coastal
Subject: Planning Consultation 2016/434/PPF

Dear Sir/Madam,

Planning Ref: 2016/434/PPF
Proposal: Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate
Address: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR
Applicant: Mellivora Capensis
Date of Consultation: 9 February 2017

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on development.management@shetland.gov.uk or 01595 744864.

Consultation replies should be sent to: development.management@shetland.gov.uk.

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email development.management@shetland.gov.uk to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid
Executive Manager - Planning Service
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:
development.management@shetland.gov.uk

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Environment and Planning
Shetland Islands Council
Infrastructure Services
Grantfield
LERWICK
Shetland
ZE1 0NT

Enquiry Line: [REDACTED]

Our ref: AMH/90145/10
Our Case ID: 201605927
Your ref: 2016/434/PPF
22 February 2017

Dear Sirs

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

8 Harbour Street Lerwick Shetland ZE1 0LR - Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate

Thank you for your consultation which we received on 14 February. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref	Name	Designation Type
M90145	Fort Charlotte, Lerwick	Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the proposals and they do not raise issues of national significance. However, plans provided with the application show a timber entry gate to the rear of the property in close proximity to the curtain wall of the above monument. Further drawings supplies suggest the stobs for the gate will be set into a foundation which extends wider than the gate itself below ground level. The foundations for this gate may therefore extend into the scheduled area of the above monument and if so Scheduled Monument Consent (SMC) would be required for the works. We advise that the applicant contact us in advance of the works to discuss the possible impacts on the scheduled monument. In the first instance they should contact Kevin Grant by e-mail at [REDACTED] or by telephone on [REDACTED]

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <http://conservation.historic-scotland.gov.uk>.

Please contact us if you have any questions about this response. The officer managing this case is Kevin Grant, who can be contacted by phone on [REDACTED] or by email on [REDACTED]

Yours faithfully

Historic Environment Scotland

From: Grant K (Kevin)
Sent: Thu, 16 Mar 2017 12:13:56 +0000
To: Development Management@Development
Cc: michael.stewart
Subject: Planning Application 2016/434/PPF - SMC

Dear Sirs,

We recently responded to a consultation on planning application 2016/434/PPF, □ 8 Harbour Street Lerwick Shetland ZE1 0LR - Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate□ (Our Case id 201605927).

We responded with comments that the works would require Scheduled Monument Consent. I can confirm that the necessary consents are already in place (our ref. 300018659). I can therefore confirm that the applicant may proceed with the works and we have no further comments to offer on the proposals.

Yours,
Kevin

Dr Kevin Grant | Casework Officer | Heritage Directorate
Historic Environment Scotland | Àrainneachd Eachdraidheil Alba
Longmore House, Salisbury Place, Edinburgh, EH9 1SH

T: [REDACTED]

M: [REDACTED]

E: [REDACTED]

www.historicenvironment.scot

Historic Environment Scotland - Scottish Charity No. SC045925

Registered Address: Longmore House, Salisbury Place, Edinburgh, EH9 1SH



HISTORIC
ENVIRONMENT
SCOTLAND

ARAINNEACHD
EACHDRAIDHEIL
ALBA



Historic Environment Scotland - Scottish Charity No. SC045925
Registered office: Longmore House, Salisbury Place, Edinburgh, EH9 1SH

This e-mail does not form part of any contract unless specifically stated and is solely for the intended recipient.

Please inform the sender if received in error.

From: Clerk to Lerwick Community Council
Sent: Tue, 7 Mar 2017 11:23:37 +0000
To: Development Management@Development
Subject: RE: Planning Consultation 2016/434/PPF - LCC - No objections

Dear Mr McDiarmid,

Planning Consultation 2016/434/PPF

At the March meeting of the Lerwick Community Council the above planning application was discussed under minute ref 03/17/10, item 1.

I can advise that there were no objections, with regard to the application.

Regards,

Marie

--

Marie Sandison

Clerk

Lerwick Community Council

From: development.management@shetland.gov.uk [mailto:development.management@shetland.gov.uk]
Sent: 09 February 2017 14:21
To: [REDACTED]
Subject: Planning Consultation 2016/434/PPF

Dear Sir/Madam,

Planning Ref: 2016/434/PPF
Proposal: Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate
Address: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR
Applicant: Mellivora Capensis
Date of Consultation: 9 February 2017

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on development.management@shetland.gov.uk or 01595 744864.

Consultation replies should be sent to: development.management@shetland.gov.uk.

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email development.management@shetland.gov.uk to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid
Executive Manager - Planning Service
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From:Smith Colin@Marine Planning
Sent:14 Apr 2017 09:29:58 +0100
To:Development Management@Development
Cc:Hunter Dale@Development Management
Subject:RE: Planning Re-Consultation 2016/434/PPF

Background

This is an application to extend an existing store at Harbour Street, Lerwick. Revised plans have now been received which confirm the existing and proposed drainage arrangements for the site.

Comments

The revised plans show the drainage layout being altered to make it suitable for the revised building layout, but the existing connections to the public sewer being retained.

The proposals do not include any SUDs devices, but the total area being drained is not increased from the existing layout and there does not appear to be any new drainage issues created by the proposals.

The continuing successful operation of the drainage as indicated will depend on maintenance and clearance of the underground drainage, including lengths not adopted by Scottish Water and the applicant should ensure that the drainage installed leaves suitable access for inspection and clearance of pipework.

There may be further drainage detailing needed to meet Scottish Water and/or Building Standards requirements, and I suggest early consultation with those bodies.

Although the proposals do not include SUDs drainage I would suggest that this is an application where the risks from drainage issues are low and that this particular type and scale of development on this site may be one where a departure from policy could be considered.

Colin Smith

Planning Engineer

Shetland Islands Council | Train Shetland | Gremista | Lerwick | Shetland

Tel +44 (0)1595 744881

Email colin.smith@shetland.gov.uk

From: Development Management@Development
Sent: 13 April 2017 11:15

To: Planning Flooding Drainage Coastal
Cc: Hunter Dale@Development Management
Subject: Planning Re-Consultation 2016/434/PPF

Dear Sir/Madam,

Planning Ref: 2016/434/PPF
Proposal: Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate
Address: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR
Applicant: Mellivora Capensis
Date of Re-Consultation: 13 April 2017

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts. All plans can be viewed on:

<http://pa.shetland.gov.uk/online-applications/>

The consultation period is 14 days, but if you have any queries please contact Marion Bryant, Support Officer on development.management@shetland.gov.uk or 01595 744864.

Consultation replies should be sent to: development.management@shetland.gov.uk.

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email development.management@shetland.gov.uk to indicate your continuing interest in the proposal.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid
 Executive Manager - Planning Service
 Shetland Islands Council
 8 North Ness Business Park
 Lerwick
 ZE1 0LZ

Section 4. Report of Handling

Delegated Report of Handling

Development: Demolish wall next to Fort Charlotte, extend existing storage building, fit conservation rooflights in pyramidal roof of existing storage building, fit sign above door (retrospective), and install wooden gate.

Location: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR,

By: Mellivora Capensis

Application Ref: 2016/434/PPF

1. Introduction

The application proposes the erection of an extension to an existing storage building in a yard adjacent to Fort Charlotte on Harbour Street, Lerwick. The existing storage building is to have 2 no. conservation rooflights fitted into its pyramidal roof. The proposed extension is single storey in height and to be clad with corrugated metal sheeting. The works to the extension's construction involve the taking down of a 10 metre section of the existing stone wall that forms the eastern boundary to the site. This wall itself partly forms of a secondary 'lean to' extension to the storage building and will also be demolished. The wooden gate proposed to be installed is to close a new access to be provided, and is to be adjacent to one of Fort Charlotte's walls. The proposals are partially retrospective insofar as the proposed sign has already been fitted above the application site's existing entrance from Harbour Street.

The application site is within the Lerwick Lanes Conservation Area.

There is no relevant planning history for this site. A listed building consent application was submitted for this site and withdrawn given that the building is not listed (reference 2016/412/LBC).

2. Statutory Development Plan Policies

Shetland Local Development Plan

GP1 - Sustainable Development

GP2 - General Requirements for All Development

GP3 - All Development: Layout and Design

WD3 - SuDs

W5 - Waste Management Plans and facilities in all new developments

HE1 - Historic Environment

HE3 - Conservation Areas

3. Safeguarding

- Scheduled and Ancient Monuments - Details: Fort Charlotte, Lerwick
- Main Areas of Best Fit - Main Areas of Best Fit: Lerwick
- Conservation Areas - Conservation Area: Conservation Area
- Tingwall 10km Safeguarding - Tingwall 10km Safeguarding: Wind Turbine applications require consultation with Airport.
- Landscape Character Assessment - Landscape Character Assessment: Farmed and Settled Voes and Sounds

4. Consultations

Historic Environment Scotland was consulted on the 9 February 2017. Their comments dated 22 February 2017 can be summarised as follows:

Thank you for your consultation which we received on 14 February. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref M90145

Name Fort Charlotte, Lerwick

Designation Type Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the proposals and they do not raise issues of national significance. However, plans provided with the application show a timber entry gate to the rear of the property in close proximity to the curtain wall of the above monument. Further drawings supplies suggest the stobs for the gate will be set into a foundation which extends wider than the gate itself below ground level. The foundations for this gate may therefore extend into the scheduled area of the above monument and if so Scheduled Monument Consent (SMC) would be required for the works. We advise that the applicant contact us in advance of the works to discuss the possible impacts on the scheduled monument. In the first instance they should contact Kevin Grant by e-mail at Kevin.Grant@hes.scot or by telephone on 0131 668 8798.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy

guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at:

www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes

Technical advice is available on our Technical Conservation website at <http://conservation.historic-scotland.gov.uk>

Planning - Flooding Drainage Coastal was consulted on the 9 February 2017. Their comments dated 15 February 2017 can be summarised as follows:

Background

This is an application to extend an existing store at Harbour Street, Lerwick.

The submitted plans do not include detail on drainage proposals. The application notes surface water discharge to public sewer.

Comments

To comply with the Water Framework Directive the drainage design should include sufficient attenuation to at least reduce flows during 1 in 10 year rainfall events to the level which would have occurred before the development.

The plans do not show any drainage beyond noting the fitting of new downpipes from roof gutters. It is not clear if all of the roof area will be collected and discharge on the east side of the building, or whether use will be made of any existing or proposed drainage within the courtyard.

The proposals do not increase the amount of hard area within the site, although they may change where water draining from the hard areas flows.

Given the site restrictions it would appear that any SUDs provision within the proposed site would have to be provided by some form of underground water storage volume.

No details have been provided of the drainage system to be connected to. The application form notes discharge to the public sewer although, given the likely age of drainage systems in the area, any below ground pipework immediately adjacent to the site may or may not be public sewer, and may or may not connect to a sewer.

The capacity of the existing pipework would be a factor if a SUDs system was to be designed, and would similarly also be required to show that a drainage layout without a SUDs system would not overflow.

Lerwick Community Council Clerk was consulted on the 9 February 2017. Their comments dated 7 March 2017 can be summarised as follows:

No objections

Planning - Flooding Drainage Coastal was consulted on the 13 April 2017. Their comments dated 14 April 2017 can be summarised as follows:

Background

This is an application to extend an existing store at Harbour Street, Lerwick. Revised plans have now been received which confirm the existing and proposed drainage arrangements for the site.

Comments

The revised plans show the drainage layout being altered to make it suitable for the revised building layout, but the existing connections to the public sewer being retained.

The proposals do not include any SUDs devices, but the total area being drained is not increased from the existing layout and there does not appear to be any new drainage issues created by the proposals.

The continuing successful operation of the drainage as indicated will depend on maintenance and clearance of the underground drainage, including lengths not adopted by Scottish Water and the applicant should ensure that the drainage installed leaves suitable access for inspection and clearance of pipework.

There may be further drainage detailing needed to meet Scottish Water and/or Building Standards requirements, and I suggest early consultation with those bodies.

Although the proposals do not include SUDs drainage I would suggest that this is an application where the risks from drainage issues are low and that this particular type and scale of development on this site may be one where a departure from policy could be considered.

5. **Statutory Advertisements**

The application was advertised in the Edinburgh Gazette on 17.02.2017. The application was advertised in the Shetland Times on 17.02.2017.

A site notice was not required to be posted.

6. **Representations**

None.

7. Report

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states that:

Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.

There are statutory Development Plan Policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with Development Plan Policy, or there are any other material considerations which would warrant the setting aside of Development Plan Policy.

In order to comply with Shetland Local Development Plan 2014 (SLDP) Policies HE1 and HE3, the proposed development must preserve or enhance the character of the conservation area and the character of other historic features such as the neighbouring scheduled monument, Fort Charlotte. In this instance, the proposal originally involved the removal of the slates from the historic pyramidal roof of the existing storage building and their replacement with grey coloured corrugated iron roofing, and the use of those same slates to clad the proposed extension.

The pyramidal roof of the existing stone built storage building is highly visible along Harbour Street that bounds the building's north wall, particularly due to the topography of the street, where the west side is at a far greater height than the east side. From the west side, users of the street are almost given a birds-eye-view of the roof and users of the street from the east side are faced with a towering structure with a distinct roof design atop it. In this instance, the material finish of the roof has a significant effect on the character of the street within the conservation area, and the change in the roof covering from slate to corrugated iron it was considered neither preserved or enhanced the conservation area's character.

After discussions with the applicant on site, an amended scheme was submitted, to which the proposal under consideration in this report relates, which proposes to retain and use of the original reclaimed slates on the roof of the pyramidal roofed existing storage building and use dark grey coloured powder coated aluminium cladding on the south-west and west facing walls of the proposed extension. The proposal to introduce 2 no. conservation rooflights in the pyramidal roof of the existing storage building is retained in the amended scheme.

The perimeter walls of the yard at the application site act to screen the other proposed works within the yard, and it is considered that the introduction of the treated aluminium cladding to the south-west and west facing walls of the proposed extension and the proposed large windows they will contain will not have an adverse effect on the character of the conservation area, and the character of the conservation area will be preserved.

The proposal includes the removal of part of the stone wall that forms the eastern boundary of the site. The application submission indicates that this is due to the structural safety of the wall given that the land to the east has slipped and the structural condition of the wall has suffered in recent years. The wall abuts one of the bastions of Fort Charlotte and a consultation response from Historic Environment Scotland highlighted requirements for Scheduled Monument Consent. The proposal is to replace the stone wall that is removed with a blockwork grey wet dash harled wall for the most part, and the part nearest the fort is to be replaced with a timber gate to allow access for maintenance to the fort's bastions, if required. A further response from Historic Environment Scotland confirmed that Scheduled Monument Consent was granted for this aspect of the work and no other concerns were raised.

The design approach to the proposal, including the use of vertical emphasis aluminium cladding and large areas of glazing is considered to be in keeping with the existing development and the street given they will benefit from relatively discreet siting within the traditional boundary walls of the existing yard.

Further to the above the proposal is considered to comply with SLDP Policies HE1, HE3 and GP3.

The modernisation of the existing yard is considered to be sustainable in nature and complies with SLDP Policy GP1.

A consultation response from the Council's Drainage Engineer raised concerns about surface water drainage on site. After discussions with the applicant, the submission of amended plans, and a further consultation response from the Drainage Engineer, it is considered that the proposed development can be accommodated with the existing surface water drainage provision – the proposal is not anticipated to generate additional surface water drainage demands given that the proposed yard is as impermeable as the proposed new roof structure. The proposal indicates that the surface water from the proposed roof will drain to the same drains as the existing yard drains to. In line with the consultation response from the Council's Drainage Engineer and subject to controlling conditions, the proposal complies with SLDP Policy WD3 and the relevant parts of Policy GP2.

No changes to the use of the site, including the existing buildings and the

pyramidal roofed storage building's extension, which is considered to fall within Use Class 4 are proposed, and the proposed windows will be within the walls of the existing yard. As such no adverse impacts on neighbouring amenity or conflicts associated with use of the site and activities that will take place under cover as opposed to in the open are anticipated, and the proposal complies with SLDP Policy GP2.

The proposed development will preserve the character of the conservation area given the re-use of original reclaimed materials i.e. natural slate, on the pyramidal roof of the existing stone built storage building and the proposed modern cladding materials will not be widely visible from public view on the street being within the walls of the yard. The blockwork grey wet dash harled exterior east facing wall to the extension will also only be visible from a short section of the street, and will be mostly hidden from view at street level by existing buildings that have material colours and finishes that those proposed for the new wall will compliment. No issues with regard to compatibility of use of the proposed extension with neighbouring land uses are identified and the proposal will not result in an increase in requirements for surface water drainage demands. Subject to controlling conditions, the proposed development complies with SLDP Policies GP1, GP2, GP3, HE1, HE2, WD3 and W5.

8. Recommendation

Grant subject to conditions.

Reasons for Council's decision:

The proposed development will preserve the character of the conservation area given the re-use of original reclaimed materials i.e. natural slate, on the pyramidal roof of the existing stone built storage building, and the proposed modern cladding materials will not be widely visible from public view on the street being within the walls of the yard. The blockwork grey wet dash harled exterior east facing wall to the extension will also only be visible from a short section of the street, and will be mostly hidden from view at street level by existing buildings that have material colours and finishes that those proposed for the new wall will compliment. No issues with regard to compatibility of use of the proposed extension with neighbouring land uses are identified and the proposal will not result in an increase in requirements for surface water drainage demands. Subject to controlling conditions, the proposed development complies with Shetland Local Development Plan (2014) Policies GP1, GP2, GP3, HE1, HE2, WD3 and W5.

9. List of approved plans:

- Detail A(GD)1 16.01.2017

• Site & Location Plan L(0)2	31.03.2017
• Elevations L(0)3	31.03.2017
• Elevations L(0)4	31.03.2017
• Photograph 2016/434/PPF-01	16.01.2017

10. **Conditions:**

1. The development hereby permitted shall not be carried out other than wholly in accordance with the approved plans and details (as may be amended and/or expanded upon by a listed document following afterward) unless previously approved in writing by the Planning Authority.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

2. No development of the proposed extension hereby permitted shall take place until: a) an Agreement to cover acceptance by Scottish Water of the level of surface water drainage required for the approved development, is in place; and b) written confirmation has been given by the Planning Authority in writing to the developer that the Agreement is satisfactory

Reason: To ensure that there is sufficient infrastructure capacity to service the development and therefore provision of adequate means of surface water drainage, to prevent adverse effects, in compliance with Shetland Local Development Plan (2014) Policies GP2 and WD3.

3. The replacement of the existing stone wall approved to be demolished on the eastern boundary of the site with a blockwork grey wet dash harled wall and a timber gate, as shown on approved drawings L(O)4 – Rev. A and A(GD)1, shall be completed with 6 months of a start of the demolition of the stone wall having been made. At least 7 days prior to the intended date of a start to the demolition of the wall a written notice confirming such intention shall be given to the Planning Authority by the person intending to carry out this part of the development. A sample panel of the external wall finish shall be prepared and made available to the Planning Authority for inspection. The works towards wet dash harling the remainder of the blockwork wall shall not commence until approval in writing to the sample panel has been given by the Planning Authority, with the blockwork wall thereafter being wet dash harled to the same colour and finish as the approved sample panel. Both sides of the blockwork wall shall be wet dash harled unless otherwise agreed in writing by the Planning Authority

Reason: To ensure that the development does not adversely affect the character of the conservation area and its setting, in compliance with Shetland Local Development Plan (2014) Policies HE1, HE3, GP1 and

GP3.

4. Within 2 months of the date of this permission details and specifications for the:
- i. 2 no. conservation rooflights to be introduced to the roof to the existing storage building (1 no. to the west facing roof plane, 1 no. to the south facing roof plane); and
 - ii. 3 no. flat roof upstand rooflights to be located in the flat roof to proposed extension,
- the details to include a roof plan of the proposed extension and measured plans which show timber sections and glazing patterns of the rooflights, shall be submitted for the written approval of the Planning Authority. The rooflights installed shall only accord with the approved details and specifications.

Reason: To ensure that the development does not adversely affect the character of the conservation area and its setting, in compliance with Shetland Local Development Plan (2014) Policies HE1, HE3, GP1 and GP3.

5. There shall be no burning of materials on the site.

Reason: To protect the existing residential amenity of the occupiers of the neighbouring properties and to prevent pollution in compliance with Shetland Local Development Plan (2014) Policy GP2.

6. If any top soil, spoil or waste materials arising from any excavation of the site carried out as part of the development hereby permitted, and the construction of the development, are to be removed from or disposed of outwith the site, details of the method of storage or disposal of any such materials, including details of the location of any storage or disposal sites, shall be submitted and approved in writing by the Planning Authority prior to the commencement of development.

Reason: To ensure that any top soil or waste material arising from the construction of the development is disposed of to an authorised site and in an environmentally acceptable manner in compliance with Shetland Local Development Plan (2014) Policies GP2, GP3 and W5.

Notes to Applicant:

Building Warrant:

You are advised to contact the Building Standards Service on 01595 744800 to discuss any building warrant requirements for your development.

Scottish Water:

You are advised to contact Scottish Water in order to discuss connectivity to their infrastructure. Contact: Scottish Water, Shetland Islands Area Office, Lerwick, ZE1 0ZF, 0345 437437.

Notice of Completion of Development:

As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

11. Further Notifications Required

None.

12. Background Information Considered

None.

2016/434/PPF_Delegated_Report_of_Handling.doc

Officer: Dale Hunter

Date: 14/08/2017

Section 5. Decision Notice



SHETLAND ISLANDS COUNCIL

Town and Country Planning (Scotland) Acts Town and Country Planning (General Permitted Development) (Scotland) Orders

With reference to the application for **Planning Permission** (described below) under the above Acts and Orders, the Shetland Islands Council in exercise of these powers hereby **GRANT Planning Permission** for the development, in accordance with the particulars given in, and the plans accompanying the application as are identified; subject to the condition(s) specified below.

Applicant Name and Address

Mellivora Capensis

Agent Name and Address

Michael Stewart
45 St Olaf Street
Lerwick
Shetland
ZE1 0EN

Reference Number: 2016/434/PPF

Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR

Details of Approved Plans and Drawings:

- Detail Drawing No. A(GD)1
Stamped Received. 16.01.2017
- Photograph Drawing No. 2016/434/PPF-01
Stamped Received. 16.01.2017
- Site & Location Plan Drawing No. L(O)2
Stamped Received. 31.03.2017
- Elevations Drawing No. L(O)3 - REV. A
Stamped Received. 31.03.2017
- Elevations Drawing No. L(O)4 - REV. A
Stamped Received. 31.03.2017

Reasons for Council's decision:

The proposed development will preserve the character of the conservation area given the re-use of original reclaimed materials i.e. natural slate, on the pyramidal roof of the existing stone built storage building, and the proposed modern cladding materials will not be widely visible from public view on the street being within the walls of the yard. The blockwork grey wet dash harled exterior east facing wall to the extension will also only be visible from a short section of the street, and will be mostly hidden from view at street level by existing buildings that have material colours and finishes that those proposed for the new wall will compliment. No issues with regard to compatibility of use of the proposed extension with neighbouring land uses are identified and the proposal will not result in an increase in requirements for surface water drainage demands. Subject to controlling conditions, the proposed development complies with Shetland Local Development Plan (2014) Policies GP1, GP2, GP3, HE1, HE2, WD3 and W5.

IMPORTANT INFORMATION

If you are aggrieved by any of the conditions on the grant of planning permission made by the planning authority, you may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to: Shetland Islands Council, Planning Department, Development Services, 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ. The necessary form can be obtained upon request from the same address.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Conditions:

(1) The development hereby permitted shall not be carried out other than wholly in accordance with the approved plans and details (as may be amended and/or expanded upon by a listed document following afterward) unless previously approved in writing by the Planning Authority.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

(2) No development of the proposed extension hereby permitted shall take place until: a) an Agreement to cover acceptance by Scottish Water of the level of surface water drainage required for the approved development, is in place; and b) written confirmation has been given by the Planning Authority in writing to the developer that the Agreement is satisfactory

Reason: To ensure that there is sufficient infrastructure capacity to service the development and therefore provision of adequate means of surface water drainage, to prevent adverse effects, in compliance with Shetland Local Development Plan (2014) Policies GP2 and WD3.

(3) The replacement of the existing stone wall approved to be demolished on the eastern boundary of the site with a blockwork grey wet dash harled wall and a timber gate, as shown on approved drawings L(O)4 - Rev. A and A(GD)1, shall be completed within 6 months of a start of the demolition of the stone wall having been made. At least 7 days prior to the intended date of a start to the demolition of the wall a written notice confirming such intention shall be given to the Planning Authority by the person intending to carry out this part of the development. A sample panel of the external wall finish shall be prepared and made available to the Planning Authority for inspection. The works towards wet dash harling the remainder of the blockwork wall shall not commence until approval in writing to the sample panel has been given by the Planning Authority, with the blockwork wall thereafter being wet dash harled to the same colour and finish as the approved sample panel. Both sides of the blockwork wall shall be wet dash harled unless otherwise agreed in writing by the Planning Authority

Reason: To ensure that the development does not adversely affect the character of the conservation area and its setting, in compliance with Shetland Local Development Plan (2014) Policies HE1, HE3, GP1 and GP3.

(4) Within 2 months of the date of this permission details and specifications for the:

- i. 2 no. conservation rooflights to be introduced to the roof to the existing storage building (1 no. to the west facing roof plane, 1 no. to the south facing roof plane); and
- ii. 3 no. flat roof upstand rooflights to be located in the flat roof to proposed extension, the details to include a roof plan of the proposed extension and measured plans which show timber sections and glazing patterns of the rooflights, shall be submitted for the written approval of the Planning Authority. The rooflights installed shall only accord with the approved details and specifications.

Reason: To ensure that the development does not adversely affect the character of the conservation area and its setting, in compliance with Shetland Local Development Plan (2014) Policies HE1, HE3, GP1 and GP3.

(5) There shall be no burning of materials on the site.

Reason: To protect the existing residential amenity of the occupiers of the neighbouring properties and to prevent pollution in compliance with Shetland Local Development Plan (2014) Policy GP2.

(6) If any top soil, spoil or waste materials arising from any excavation of the site carried out as part of the development hereby permitted, and the construction of the development, are to be removed from or disposed of outwith the site, details of the method of storage or disposal of any such materials, including details of the location of any storage or disposal sites, shall be submitted and approved in writing by the Planning Authority prior to the commencement of development.

Reason: To ensure that any top soil or waste material arising from the construction of the development is disposed of to an authorised site and in an environmentally acceptable manner in compliance with Shetland Local Development Plan (2014) Policies GP2, GP3 and W5.

Notes to Applicant:

Building Warrant:

You are advised to contact the Building Standards Service on 01595 744800 to discuss any building warrant requirements for your development.

Scottish Water:

You are advised to contact Scottish Water in order to discuss connectivity to their infrastructure. Contact: Scottish Water, Shetland Islands Area Office, Lerwick, ZE1 0ZF, 0345 437437.

Notice of Completion of Development:

As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

14 August 2017



Executive Manager - Planning

2016/434/PPT - C-1

SHETLAND ISLANDS COUNCIL
PLANNING

16 JAN 2017

ACTION

PASS TO

GRANT OF PLANNING PERMISSION
APPROVED
BY SHETLAND ISLANDS COUNCIL AS
PLANNING AUTHORITY UNDER THE
PROVISIONS OF THE TOWN AND
COUNTRY PLANNING (SCOTLAND)
ACT 1997 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE

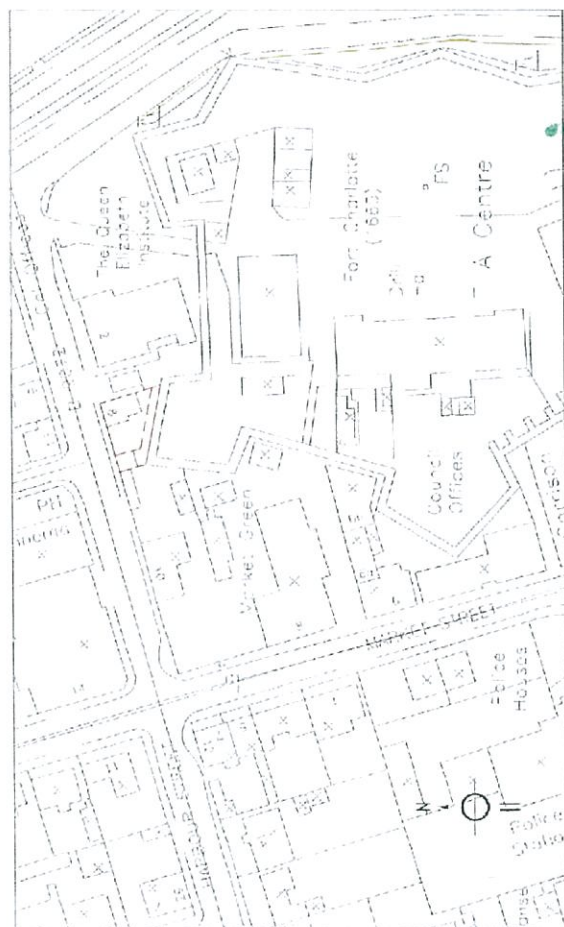
TEAM LEADER
DEVELOPMENT MANAGEMENT

14 AUG 2017

SIGNED:

JR Kaga

Harbour Court



THIS DRAIN
OVER TO
HERE FOR
FLAT ROOF
WATER

SITE PLAN as PROPOSED Scale 1:100.

GRANT OF PLANNING PERMISSION
APPROVED
BY SHETLAND ISLANDS COUNCIL AS
PLANNING AUTHORITY UNDER THE
PROVISIONS OF THE TOWN AND
COUNTRY PLANNING (SCOTLAND)
ACT 1967 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE.

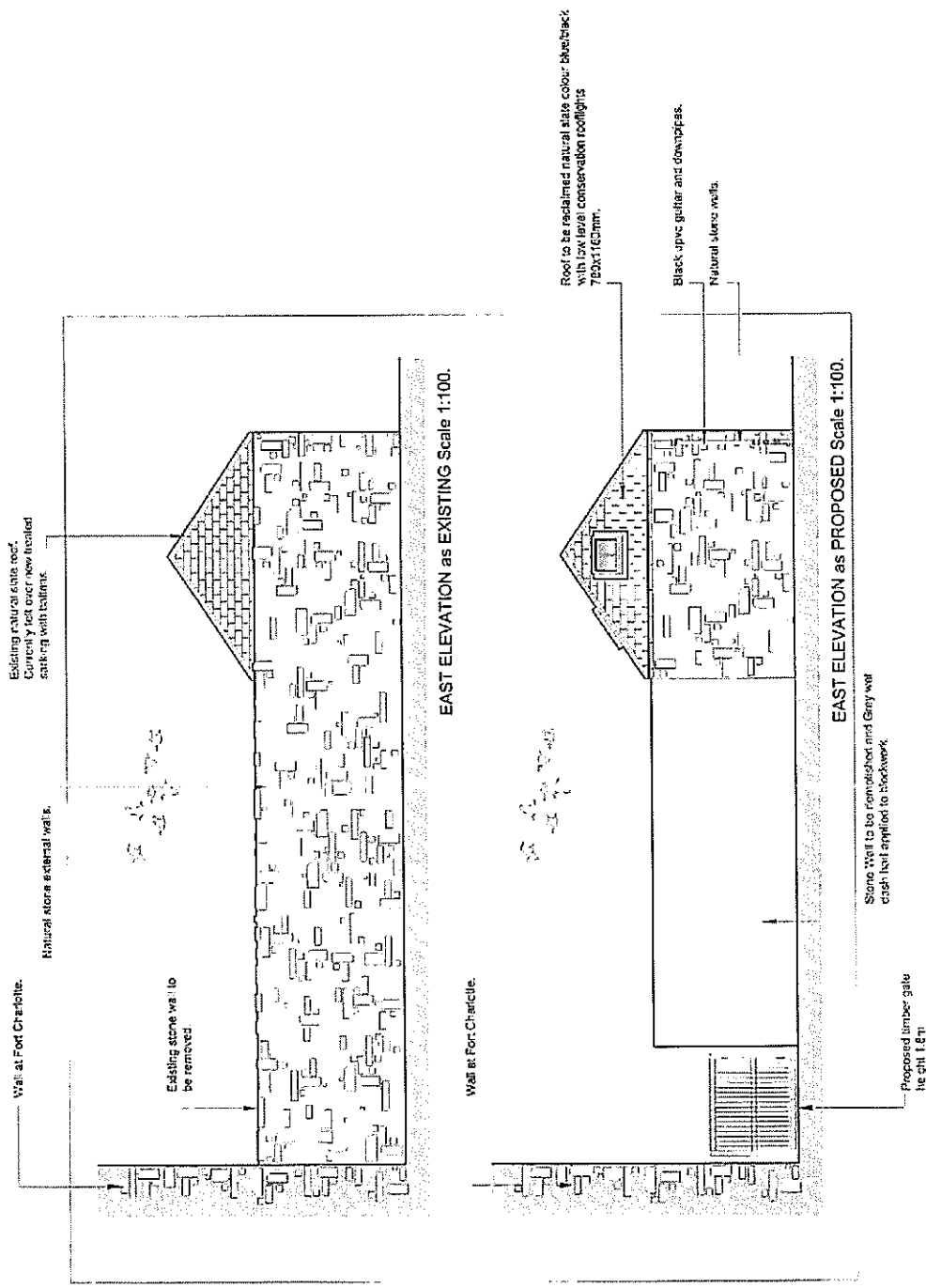
TEAM LEADER
DEVELOPMENT MANAGEMENT

14 AUG 2017

SIGNED: JR Hesse

SHETLAND ISLANDS COUNCIL
PLANNING
31 MAR 2017
PASS TO ACTION

Rev.	Description	Drawn	Chkd.	Date
	Client: Michael Stewart, 48 St. Old Burch, Limerick, Sh. Ward ZEI 12N., Property at Harbour Street, Proposed Extension to commercial storage yard, 48 St. Old Burch, Limerick, for Michael Stewart.			
Title: Site Plan as Existing and Proposed.				
Consult Project no. [REDACTED]		E-Ref:		
	Drawn: BPA	File name:		
	Date: Sept. 2014	C-Checked:		Rev:
		Drawing No.: LQ12		
		Job:		
		3. rev:		



GRANT OF PLANNING PERMISSION
APPROVED
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COUNTRY PLANNING (SCOTLAND)
ACT 1997 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE

TEAM LEADER
DEVELOPMENT MANAGEMENT
14 AUG 2017
SIGNED: *JR Hobbs*

SHETLAND ISLANDS COUNCIL
PLANNING
31 MAR 2017
PASS TO ACTION

A	Planning requested and Discretionary	Environ. Chng.	219
Rev.	Discretion		
Client: Mullion Copse 45 St. Old Street Leck, Shetland ZE1 0SN			
Property: Harbour Court, Larnick, Shetland for Mulford Copse.			
Title: East Elevation as Existing & Proposed.			
Current Plan on E 424			
Scale: 1:100	Drawn: BJA	File name	Rev.
Date: 27/01/17	Checked:	Drawing No: 1014	Rev. A
Survey:	Job:		

Section 6. Condition 4 correspondence

From:Hunter Dale@Development Management
Sent:17 Aug 2017 15:13:41 +0100
To:'michael stewart'
Subject:RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Thanks for providing the drawings in relation to condition 4 of 2016/434/PPF. The low level rooflights are acceptable and I would be more than happy to discharge that part of the condition. I would encourage you to look at other rooflights for the flat roof element. If you were to propose flat roof rooflights that are similar to the low level ones that you have proposed I would be happy discharge on those too.

We would also be needing a cross section of the low level rooflights and a roof plan showing the locations of the rooflights on it before we can discharge the condition.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ



Scottish Awards for
Quality in Planning
2017: Shortlisted

From: michael stewart [REDACTED]
Sent: 17 August 2017 13:05
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

Condition (4) details

Velux 780mm x 1180mm low level conservation roof windows

Velux 800mm x 800mm flat roof dome windows specification and section

Let me know if you need more information

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 10 August 2017 10:41
To: [REDACTED]
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

I have forwarded your message through to my team leader. He currently has a large stack of applications in his inbox waiting to be determined.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ



Scottish Awards for
Quality in Planning
2017: Shortlisted

From: michael.stewart@shetland.gov.uk
Sent: 10 August 2017 10:39
To: Hunter.Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

Is there any update on this application?

While other applications are going through quite quickly my one seems to be static.

Can you assure me there is no prejudice against me.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 23 March 2017 15:59
To: [REDACTED]
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

That would be great.

Many Thanks

Dale

From: michael.stewart [REDACTED]
Sent: 23 March 2017 15:55
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

That's all fine.

I will alter the drawings as required.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>

Sent: 23 March 2017 15:43

To: [REDACTED]

Subject: FW: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Thanks for meeting on site earlier in the week.

I have discussed the proposal with the Drainage Engineer about the details that would be looking for. I would appreciate if you could mark on the site plan the drains that you showed me on site and drew a line to show where each of them connect into the public system and confirm on the drawings that you believe there is capacity to cope with the surface water arising from the site. While SUDS are required for new development, the proposed roof would not introduce more hard surface than there already is on site and we would not require SUDS in this instance.

The Drainage Engineer highlighted that there may be difficulties at the Building Warrant Stage for the proposed building with the regards to the method of connecting the proposed roof into the existing surface water drainage and said it may be best to speak to Building Standards at this stage to prevent issues in future. We wouldn't be looking for that level of detail at the planning stage so I don't think this would affect the application.

I have discussed the proposed use of materials with my colleagues in the team. Given the prominence of the roof within Harbour Street and the historic nature of the yard I would be unable to support the use of the corrugated metal on the roof in that location. I would encourage you to maintain the original slates on the pyramidal roof and alter the drawings to show that.

If you wish to discuss the above feel free to call on 01595 743963.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

From: Hunter Dale@Development Management
Sent: 16 March 2017 09:55
To: 'michael stewart'
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Are you free from 11am today? Sorry for the short notice.

Thanks

Dale

From: michael stewart [REDACTED]
Sent: 15 March 2017 09:37
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale, not today but anytime after 11AM this week or next.

Let me know what suits.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 14 March 2017 16:32
To: [REDACTED]
Subject: 2016/434/PPF - 8 Harbour Street

Hi Michael,

I have been allocated the above planning application and I've started looking into it. Would you be free this week to have a quick meeting on site to discuss the use of materials, the drainage arrangements and the monument consent? I'm available all week except Friday morning.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

From: Hunter Dale@Development Management
Sent: 14 Sep 2017 11:11:53 +0000
To: 'michael stewart'
Subject: RE: FW: 2016/434/PPF - 8 Harbour Street
Attachments: 434 - discharge of condition 4.pdf

Hi Michael,

Please see attached.

Regards
 Dale

Dale Hunter
 Planning Officer - Shetland Islands Council
 01595 743963 - dale.hunter@shetland.gov.uk
 8 North Ness, Lerwick, Shetland, ZE1 0LZ



Scottish Awards for
 Quality in Planning
 2017 Shortlisted

From: michael stewart [REDACTED]
Sent: 12 September 2017 18:28
To: Hunter Dale@Development Management <Dale.Hunter@shetland.gov.uk>
Subject: Re: FW: 2016/434/PPF - 8 Harbour Street

Hi Dale

I put in a roof plan with 800 mm x 800 mm dimensions last week, Jill put it through for your attention.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: Tuesday, September 12, 2017 3:39:50 PM
To: [REDACTED]
Subject: FW: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Thanks for your call earlier. I've had a look through the emails and the only detail we were needing is the dimensions of the flat roof rooflight. There are a number of size options on page 2 of the document you sent (I've attached a copy).

Once we have received that I can discharge the condition.

Kind Regards
 Dale

From: Hunter Dale@Development Management
Sent: 17 August 2017 16:05
To: michael.stewart [REDACTED]
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael.

That seems appropriate to me. More than happy to discharge on those when it's all put together with the roofplan and the size of the flat roof rooflight.

Kind Regards
Dale

From: michael.stewart [REDACTED]
Sent: 17 August 2017 15:51
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

Are these suitable?

They are black and are slightly more conservation looking than the others.

Twice the price for black with flatter glass.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 17 August 2017 15:13
To: [REDACTED]
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Thanks for providing the drawings in relation to condition 4 of 2016/434/PPF. The low level rooflights are acceptable and I would be more than happy to discharge that part of the condition. I would encourage you to look at other rooflights for the flat roof element. If you were to propose flat roof rooflights that are similar to the low level ones that you have proposed I would be happy to discharge on those too.

We would also be needing a cross section of the low level rooflights and a roof plan showing the locations of the rooflights on it before we can discharge the condition.

Kind Regards
Dale

Dale Hunter

Planning Officer – Shetland Islands Council
 01595 743963 dale.hunter@shetland.gov.uk
 8 North Ness, Lerwick, Shetland, ZE1 0LZ



Scottish Awards for
 Quality in Planning
 2017: Shortlisted

From: michael.stewart [REDACTED]
Sent: 17 August 2017 15:05
To: Hunter.Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

Condition (4) details

Velux 780mm x 1180mm low level conservation roof windows

Velux 800mm x 800mm flat roof dome windows specification and section

Let me know if you need more information

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 10 August 2017 10:41
To: [REDACTED]
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

I have forwarded your message through to my team leader. He currently has a large stack of applications in his inbox waiting to be determined.

Kind Regards
 Dale

Dale Hunter
 Planning Officer – Shetland Islands Council
 01595 743963 - dale.hunter@shetland.gov.uk
 8 North Ness, Lerwick, Shetland, ZE1 0LZ



Scottish Awards for
 Quality in Planning
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From: michael.stewart [REDACTED]
Sent: 10 August 2017 10:39
To: Hunter.Dale@Development.Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

Is there any update on this application?

While other applications are going through quite quickly my one seems to be static.

Can you assure me there is no prejudice against me.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 23 March 2017 15:59
To: [REDACTED]
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

That would be great.

Many Thanks
Dale

From: michael.stewart [REDACTED]
Sent: 23 March 2017 15:59
To: Hunter.Dale@Development.Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

That's all fine.

I will alter the drawings as required.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 23 March 2017 15:43
To: [REDACTED]
Subject: FW: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Thanks for meeting on site earlier in the week.

I have discussed the proposal with the Drainage Engineer about the details that would be looking for. I would appreciate if you could mark on the site plan the drains that you showed me on site and drew a line to show where each of them connect into the public system and confirm on the drawings that you believe there is capacity to cope with the surface water arising from the site. While SUDS are required for new development, the proposed roof would not introduce more hard surface than there already is on site and we would not require SUDS in this instance.

The Drainage Engineer highlighted that there may be difficulties at the Building Warrant Stage for the proposed building with the regards to the method of connecting the proposed roof into the existing surface water drainage and said it may be best to speak to Building Standards at this stage to prevent issues in future. We wouldn't be looking for that level of detail at the planning stage so I don't think this would affect the application.

I have discussed the proposed use of materials with my colleagues in the team. Given the prominence of the roof within Harbour Street and the historic nature of the yard I would be unable to support the use of the corrugated metal on the roof in that location. I would encourage you to maintain the original slates on the pyramidal roof and alter the drawings to show that.

If you wish to discuss the above feel free to call on 01595 743963.

Kind Regards
Dale

Dale Hunter
Planning Officer – Shetland Islands Council
01595 743963 dale.hunter@shetland.gov.uk
8 North Ness, Lerwick, Shetland, ZE1 0LZ

From: Hunter Dale@Development Management
Sent: 16 March 2017 09:55
To: 'michael stewart'
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Are you free from 11am today? Sorry for the short notice.

Thanks
Dale

From: michael stewart [<mailto:michael-stewart@live.co.uk>]
Sent: 15 March 2017 09:37
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale, not today but anytime after 11AM this week or next.
Let me know what suits.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>

Sent: 14 March 2017 16:32

To: [REDACTED]

Subject: 2016/434/PPF - 8 Harbour Street

Hi Michael,

I have been allocated the above planning application and I've started looking into it. Would you be free this week to have a quick meeting on site to discuss the use of materials, the drainage arrangements and the monument consent? I'm available all week except Friday morning.

Kind Regards

Dale

Dale Hunter

Planning Officer - Shetland Islands Council

01595 743963 dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ



Shetland Islands Council

Executive Manager: Iain S McDiarmid
Director: Neil Grant

Michael Stewart
45 St Olaf Street
Lerwick
Shetland
ZE1 0EN

Planning
Development Services
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

Telephone: 01595 744293
www.shetland.gov.uk

If calling please ask for:
Dale Hunter
Planning Officer - Development
Management
dale.hunter@shetland.gov.uk
Direct Dial: 01595 743963

Our Ref: 2016/434/PPF

Date: 14 September 2017

Dear Sir/Madam

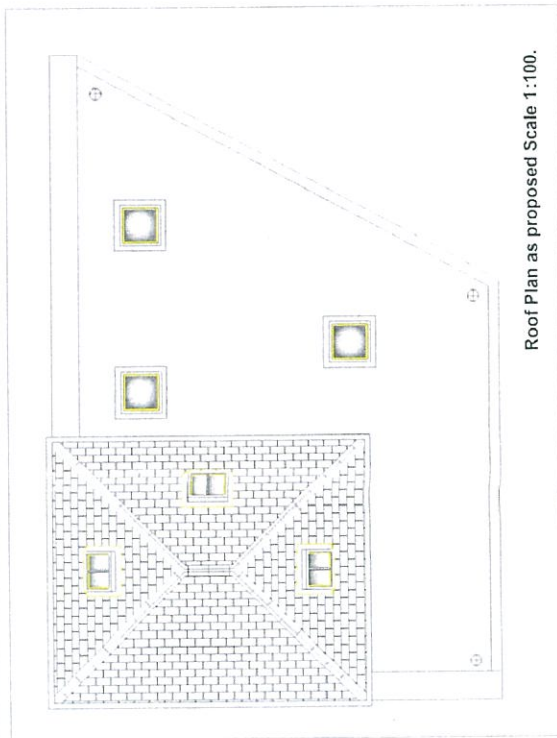
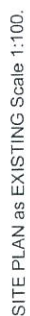
Town and Country Planning (Scotland) Act 1997 (as amended)

Development	Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate
Location	8 Harbour Street, Lerwick, Shetland, ZE1 0LR
Applicant Name	Mellivora Capensis

I refer to your submitted drawing reference L(0)5 received 30 August 2017 and document titled 'Product information, Fixed flat roof window CFP with curved glass cover ISD ----- 1093' received 17 August 2017, in compliance with condition number 4 of the above Planning Application and can advise that the terms of that condition have been satisfactorily discharged.

Yours faithfully

Dale Hunter
Planning Officer - Development Management



Roof Plan as proposed Scale 1:100.

Rev.	Description	Drawn	Chkd.	Date
	Client: Mellivora Capensis-45 St. Olafstreet, Lurwick, Shetland ZE1 0EN.			
	Property: Harbour Court, Proposed Extension to commercial storage Lurwick, Shetland.			
	for Mellivora Capensis.			
	Title: Site Plan as Existing & Proposed Plan.			
Contract Price: ex. VAT £55,000.00				
	Scale: 1:100	Drawn: BSA	Filename:	
	Date: Sep 2016	Checked:	Drawing No: LD05	Rev:
	Survey:	Job:		

Section 7. Condition 3 correspondence

From:Hunter Dale@Development Management
Sent:17 Aug 2017 14:34:39 +0100
To:'michael stewart'
Subject:RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

You can apply for vary the condition. This would involve providing us with the wording you are looking to change it to and making a case for why the condition as written isn't appropriate. We would then have up to two months to look at that and formally accept the variation or not.

The intention of the condition is just to make sure that a wall is built and finished in its place within a reasonable timescale of the demolition of the existing wall, given that it is within the conservation area. The 7 days notice is just to let us know when to start the 6 month clock ticking. You could even just let us you plan to demolish the wall on a specific date, and the 6 month clock would start from then. You could submit that today and then you would have 6 months from then to demolish the wall, submit the sample panel and build the new wall in its place.

I hope this helps explain things.

Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ



Scottish Awards for
Quality in Planning
2017: Shortlisted

From: michael stewart [REDACTED]
Sent: 14 August 2017 17:57
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale

Would it be possible to alter this condition?

(3) The replacement of the existing stone wall approved to be demolished on the eastern boundary of the site with a blockwork grey wet dash harled wall and a timber gate, as shown on approved drawings L(O)4 - Rev. A and A(GD)1, shall be completed with 6 months of a start of the demolition of the stone wall having been made. At least 7 days prior to the intended date of a start to the demolition of the wall a written notice confirming such intention shall be given to the Planning Authority by the person intending to carry out this part of the development. A sample panel of the external wall finish shall be prepared and made available to the Planning Authority for inspection. The works towards wet dash harling the remainder of the blockwork wall shall not commence until approval in writing to the sample panel has been given by the Planning Authority, with the blockwork wall thereafter being wet dash harled to the same colour and finish as the approved sample panel. Both sides of the blockwork wall shall be wet dash harled unless otherwise agreed in writing by the Planning Authority Reason: To ensure that the development does not adversely affect the character of the conservation area and its setting, in compliance with Shetland Local Development Plan (2014) Policies HE1, HE3, GP1 and GP3.

Part of the wall fell down last Xmas and the other part is currently held up with a wooden structure to stop it falling down.

I would like to remove it for safety reasons without its removal affecting my permission.

It is not the full length of the wall, only the free standing part not included in the scheduled monument consent.

The west side of the new wall is internal to the new building so should not require wet harl.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>

Sent: 10 August 2017 10:41

To: [REDACTED]

Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

I have forwarded your message through to my team leader. He currently has a large stack of applications in his inbox waiting to be determined.

Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ



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That would be great.

Many Thanks

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believe there is capacity to cope with the surface water arising from the site. While SUDS are required for new development, the proposed roof would not introduce more hard surface than there already is on site and we would not require SUDS in this instance.

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Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

From: Hunter Dale@Development Management
Sent: 16 March 2017 09:55
To: 'michael stewart'
Subject: RE: 2016/434/PPF - 8 Harbour Street

Hi Michael,

Are you free from 11am today? Sorry for the short notice.

Thanks

Dale

From: michael stewart [redacted]
Sent: 15 March 2017 09:37
To: Hunter Dale@Development Management
Subject: Re: 2016/434/PPF - 8 Harbour Street

Hi Dale, not today but anytime after 11AM this week or next.

Let me know what suits.

Michael

From: Dale.Hunter@shetland.gov.uk <Dale.Hunter@shetland.gov.uk>
Sent: 14 March 2017 16:32
To: [redacted]
Subject: 2016/434/PPF - 8 Harbour Street

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Kind Regards

Dale

Dale Hunter

Planning Officer – Shetland Islands Council

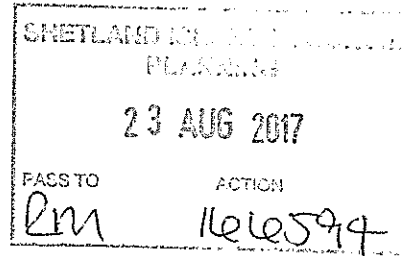
01595 743963 – dale.hunter@shetland.gov.uk

8 North Ness, Lerwick, Shetland, ZE1 0LZ

Michael Stewart
45 St Olaf Street
Lerwick

ZE1 0EN

22/08/17



2016/434/PPF

Condition (3)

I intend to demolish the remaining freestanding part of the wall approved under this permission.

Part of the wall next to Fort Charlotte fell down December 2016 but was covered under the following Scheduled Monument Consent.

Reference Simon Stronach HES

Index SM 90145 Case ID 300018659

The remaining few meters outwith the SM area is in a perilous state and currently being held up with pallets and batons in case of collapse.

The start date for this works is Wed 30th August

Regards

Michael Stewart

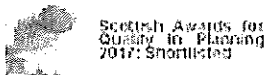
From: Hunter Dale@Development Management
Sent: 2 Oct 2017 14:54:05 +0000
To: 'michael stewart'
Subject: FW: 2016/434/PPF

Hi Michael,

There isn't any way we can undo the letter. However, the wall and the extension can be looked at separately. So you can demolish and rebuild the wall as per condition 3 and it wouldn't affect the requirements for the Scottish Water letter as per condition 2.

Kind Regards
Dale

Dale Hunter
Planning Officer - Shetland Islands Council
01595 743963 - dale.hunter@shetland.gov.uk
8 North Ness, Lerwick, Shetland, ZE1 0LZ



From: Sineath Norman@Development Management
Sent: 02 October 2017 15:41
To: Hunter Dale@Development Management <Dale.Hunter@shetland.gov.uk>
Subject: FW: 2016/434/PPF

From: michael stewart [mailto:]
Sent: 02 October 2017 11:40
To: Sineath Norman@Development Management <Norman.Sineath@shetland.gov.uk>
Subject: 2016/434/PPF

Hi Norman

I sent in a letter regarding condition (3) of 2016/434/PPF.

Would it be possible to retract that letter as I am unable to start the process until I get condition (2) satisfied.

I am applying to remove that condition as that appeal will take up most of that allotted 6 month period allocated to condition (3)

Regards

Michael

Section 8. Condition 6 correspondence

Michael Stewart

45St Olaf Street

Lerwick

ZE1 0EN

14/9/17



2016/434/PPF

Condition (6)

Disposal of materials will be by a Tullochs Developments skip to Staney Hill Quarry.

Regards

Michael Stewart

Section 9 Notice of Review



Development Services Department
Shetland Islands Council

FOR OFFICIAL USE ONLY

Ref No:

Date of Receipt:

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
This form is only to be used in respect of decisions on proposals in the local development
category. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

03 137 217
10/10/14
JH 100780

1. Applicant(s)

Name MELLIVORA CAPENSIS

Address 9 HARBOUR COURT
8 HARBOUR STREET

Postcode LERWICK
ZE1 0LR

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

2. Agent (if any)

Name MICHAEL STEWART

Address 45 STOLAF STREET
LERWICK

Postcode ZE1 0EN

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be
through this representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes ☒ No ☐

3. Application Details

Planning authority's application reference number

2016/434/PPF

Site address

HARBOUR COURT 8 HARBOUR STREET
LERWICK ZE1 0LR

Description of proposed development

DEMOLISH WALL NEXT TO FORT, EXTEND EXISTING
STORE, CHANGE ROOF MATERIAL, FIT SIGN ABOVE
DOOR (RETROSPECTIVE) INSTALL WOODEN GATE

Date of application

24-1-2017

Date of decision (if any)

14-08-17

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☐
4. Application for approval of matters specified in conditions ☐

5. Reasons for seeking review

1. Refusal of application by appointed officer ☐
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☒

6. Review procedure

The Shetland Islands Council Planning Local Review Body will determine your review by the holding of one or more public hearing sessions.

In the event that the Local Review Body decides to inspect the review site during the determination of your review, in your opinion:

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

I SHOULD BE ON SITE TO EXPLAIN THE PRACTICAL ASPECTS OF MY GRIEVANCES. IT GIVES THE REVIEW BODY A CHANCE TO SEE THE EXISTING DRAINAGE ON SITE AND POSITION OF WALL ETC

7. Statement of Grounds of Review

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Shetland Islands Council Planning Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REMOVAL OF CONDITION (2) WHICH APPEARS TO CONTRADICT THE REASONS FOR COUNCIL'S DECISION. SCOTTISH WATER WAS NOT A STATUTORY CONSULTEE, THE SITE HAS BEEN ON COMMERCIAL RATES SINCE 1961 AND CONNECTED TO THE MAIN SEWER WITH VARIOUS SURFACE WATER CONNECTIONS, SINCE THAT DATE. THERE HAVE BEEN NO RECORDED ISSUES WITH SURFACE WATER IN THAT TIME. A SITE VISIT WOULD ALLEVIATE ANY ISSUES CONNECTED WITH THIS.

REMOVAL / ALTERATION OF CONDITION (3) WHICH PUTS AN ONEROUS BURDEN ON THE PROJECT. THE WALL BETWEEN THE FORT AND THE EXISTING STORE WAS IN AN UNSAFE STATE. I APPLIED FOR SMC TO REMOVE THE WORST AFFECTED PART AND WE SHOARDED UP THE REMAINING WALL. THE FIRST 2M COLLAPSED ON 20/12/2016 AND THE REMAINDER CAME DOWN A FEW WEEKS AGO. I DID GIVE PRIOR NOTICE BUT GRAVITY TOOK OVER. CONTINUED

8. New Matters

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

9. List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

- ① COPY OF PERMISSION 20/6/434/PPF
- ② e-mail from Colin Smith re drainage
- ③ PHOTO - existing drain - broken by wall
- ④ PHOTO - existing drain - repaired
- ⑤ PHOTO - WALL TO BE DEMOLISHED
- ⑥ PHOTO - WALL MEETS FORT
- ⑦ PHOTO - WALL JOINS STORE
- ⑧ PHOTO - WALL AND STORE
- ⑨ PHOTO - WALL PROTECTION (TO HES) CONTINUED

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the ~~applicant~~ agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

3-11-17

Please send this completed form to:

Shetland Islands Council Planning Local Review Body, c/o Planning, Development Services Department, c/o Train Shetland, North Gremista Industrial Estate, Lerwick, Shetland, ZE1 0PX.

Telephone: 01595 744293 e-mail: development.management@shetland.gov.uk Visit: www.shetland.gov.uk

7. CONTINUED

THE TIMESCALE FOR REBUILDING OF SIX MONTHS IS VERY DEMANDING AND HAS NO BEARING ON REALITY.

ASKING FOR BOTH SIDES OF THE WALL TO BE HARLED IS A STRANGE REQUEST AS ONE SIDE IS AN INTERNAL WALL.

THIS, ALONG WITH THE CONTRADICTION IN CONDITION (2) SHOWS A LACK OF PRACTICAL APPLICATION TO THIS PERMISSION.

FOR THE RECORD, I JOINED HES AS A MEMBER BEFORE PURCHASING THE SITE AND HAVE BEEN DISCUSSING THE PROJECT, GIVING THEM REGULAR UPDATES SINCE THEN.

I HAVE APPLIED FOR 3 SCHEDULED MONUMENT CONSENTS FOR VARIOUS WORKS ON SITE AND ALL HAVE BEEN GRANTED WITH LITTLE OR NO ISSUES.

THE PLANNING ENFORCEMENT OFFICER HAS BEEN KEPT UP TO DATE WITH THE DETERIORATION OF THE WALL AND SITE VISITS / PHOTOS HAVE BEEN DONE.

02/09/17

REF TO

AG1/28

I WOULD BE HAPPY FOR THE CONDITION TO APPLY ONLY TO THE WALL OF THE STORAGE BUILDING WHICH WAS TO BE REMOVED UNDER THIS PERMISSION

TECHNICALLY, GRAVITY HAS CAUSED ME TO BREACH MY PLANNING PERMISSION AS THE PART THAT CAME DOWN RECENTLY WILL HAVE TO BE REBUILT ANYWAY.

9 CONTINUED

- (10) email to HES - wall collapse.
- (11) email to Norman Sineath (awaiting reply)
- (12) SMC to remove wall
- (13) crack in wall 29th November 2016

83 057 537

830310

AL401



SHETLAND ISLANDS COUNCIL

Town and Country Planning (Scotland) Acts Town and Country Planning (General Permitted Development) (Scotland) Orders

With reference to the application for Planning Permission (described below) under the above Acts and Orders, the Shetland Islands Council in exercise of these powers hereby **GRANT Planning Permission** for the development, in accordance with the particulars given in, and the plans accompanying the application as are identified; subject to the condition(s) specified below.

Applicant Name and Address

Mellivora Capensis

Agent Name and Address

Michael Stewart
45 St Olaf Street
Lerwick
Shetland
ZE1 0EN

Reference Number: 2016/434/PPF

Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR

Details of Approved Plans and Drawings:

- Detail Drawing No. A(GD)1
Stamped Received. 16.01.2017
- Photograph Drawing No. 2016/434/PPF-01
Stamped Received. 16.01.2017
- Site & Location Plan Drawing No. L(O)2
Stamped Received. 31.03.2017
- Elevations Drawing No. L(O)3 - REV. A
Stamped Received. 31.03.2017
- Elevations Drawing No. L(O)4 - REV. A
Stamped Received. 31.03.2017

Reasons for Council's decision:

The proposed development will preserve the character of the conservation area given the re-use of original reclaimed materials i.e. natural slate, on the pyramidal roof of the existing stone built storage building, and the proposed modern cladding materials will not be widely visible from public view on the street being within the walls of the yard. The blockwork grey wet dash harled exterior east facing wall to the extension will also only be visible from a short section of the street, and will be mostly hidden from view at street level by existing buildings that have material colours and finishes that those proposed for the new wall will compliment. No issues with regard to compatibility of use of the proposed extension with neighbouring land uses are identified and the proposal will not result in an increase in requirements for surface water drainage demands. Subject to controlling conditions, the proposed development complies with Shetland Local Development Plan (2014) Policies GP1, GP2, GP3, HE1, HE2, WD3 and W5.

Conditions:

(1) The development hereby permitted shall not be carried out other than wholly in accordance with the approved plans and details (as may be amended and/or expanded upon by a listed document following afterward) unless previously approved in writing by the Planning Authority.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

(2) No development of the proposed extension hereby permitted shall take place until: a) an Agreement to cover acceptance by Scottish Water of the level of surface water drainage required for the approved development, is in place; and b) written confirmation has been given by the Planning Authority in writing to the developer that the Agreement is satisfactory

Reason: To ensure that there is sufficient infrastructure capacity to service the development and therefore provision of adequate means of surface water drainage, to prevent adverse effects, in compliance with Shetland Local Development Plan (2014) Policies GP2 and WD3.

✓ (3) The replacement of the existing stone wall approved to be demolished on the eastern boundary of the site with a blockwork grey wet dash harled wall and a timber gate, as shown on approved drawings L(O)4 - Rev. A and A(GD)1, shall be completed within 6 months of a start of the demolition of the stone wall having been made. At least 7 days prior to the intended date of a start to the demolition of the wall a written notice confirming such intention shall be given to the Planning Authority by the person intending to carry out this part of the development. A sample panel of the external wall finish shall be prepared and made available to the Planning Authority for inspection. The works towards wet dash harling the remainder of the blockwork wall shall not commence until approval in writing to the sample panel has been given by the Planning Authority, with the blockwork wall thereafter being wet dash harled to the same colour and finish as the approved sample panel. Both sides of the blockwork wall shall be wet dash harled unless otherwise agreed in writing by the Planning Authority

Reason: To ensure that the development does not adversely affect the character of the conservation area and its setting, in compliance with Shetland Local Development Plan (2014) Policies HE1, HE3, GP1 and GP3.

- ✓ (4) Within 2 months of the date of this permission details and specifications for the:
- i. 2 no. conservation rooflights to be introduced to the roof to the existing storage building (1 no. to the west facing roof plane, 1 no. to the south facing roof plane); and
 - ii. 3 no. flat roof upstand rooflights to be located in the flat roof to proposed extension, the details to include a roof plan of the proposed extension and measured plans which show timber sections and glazing patterns of the rooflights, shall be submitted for the written approval of the Planning Authority. The rooflights installed shall only accord with the approved details and specifications.

2

From:Smith Colin@Marine Planning
Sent:14 Apr 2017 09:29:58 +0100
To:Development Management@Development
Cc:Hunter Dale@Development Management
Subject:RE: Planning Re-Consultation 2016/434/PPF

Background

This is an application to extend and existing store at Harbour Street, Lerwick.
Revised plans have now been received which confirm the existing and proposed drainage arrangements for the site.

Comments

The revised plans show the drainage layout being altered to make it suitable for the revised building layout, but the existing connections to the public sewer being retained.
The proposals do not include any SUDs devices, but the total area being drained is not increased from the existing layout and there does not appear to be any new drainage issues created by the proposals.

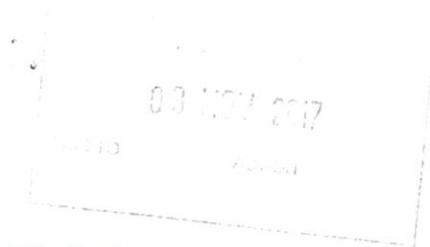
The continuing successful operation of the drainage as indicated will depend on maintenance and clearance of the underground drainage, including lengths not adopted by Scottish Water and the applicant should ensure that the drainage installed leaves suitable access for inspection and clearance of pipework.

There may be further drainage detailing needed to meet Scottish Water and/or Building Standards requirements, and I suggest early consultation with those bodies.

Although the proposals do not include SUDs drainage I would suggest that this is an application where the risks from drainage issues are low and that this particular type and scale of development on this site may be one where a departure from policy could be considered.

Colin Smith

Planning Engineer



Shetland Islands Council | Train Shetland | Gremista | Lerwick | Shetland

Tel +44 (0)1595 744881

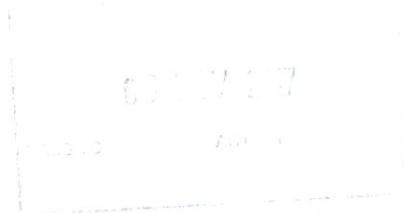
Email colin.smith@shetland.gov.uk

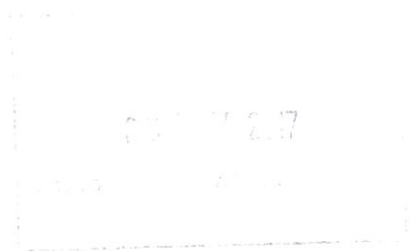
From: Development Management@Development
Sent: 13 April 2017 11:15



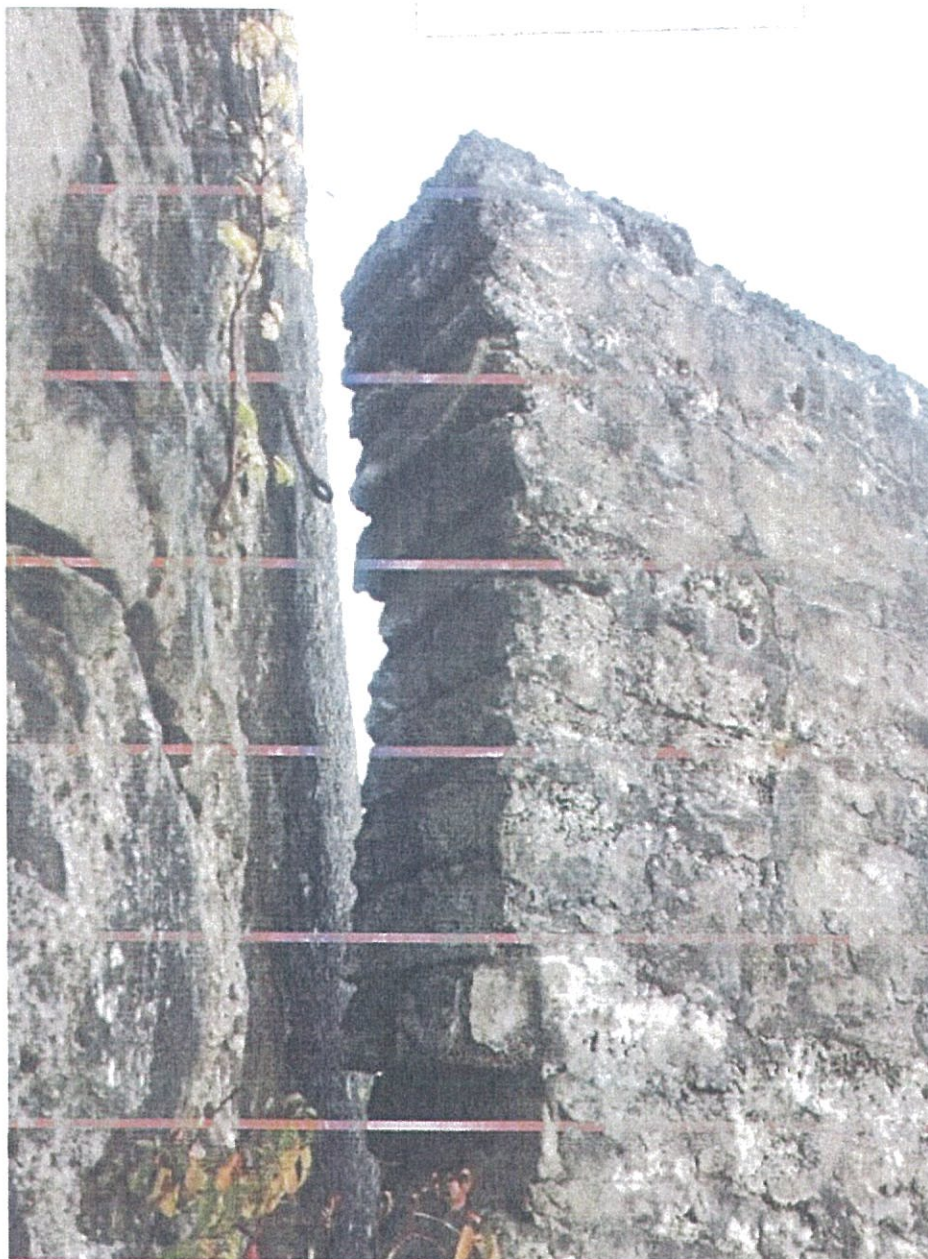


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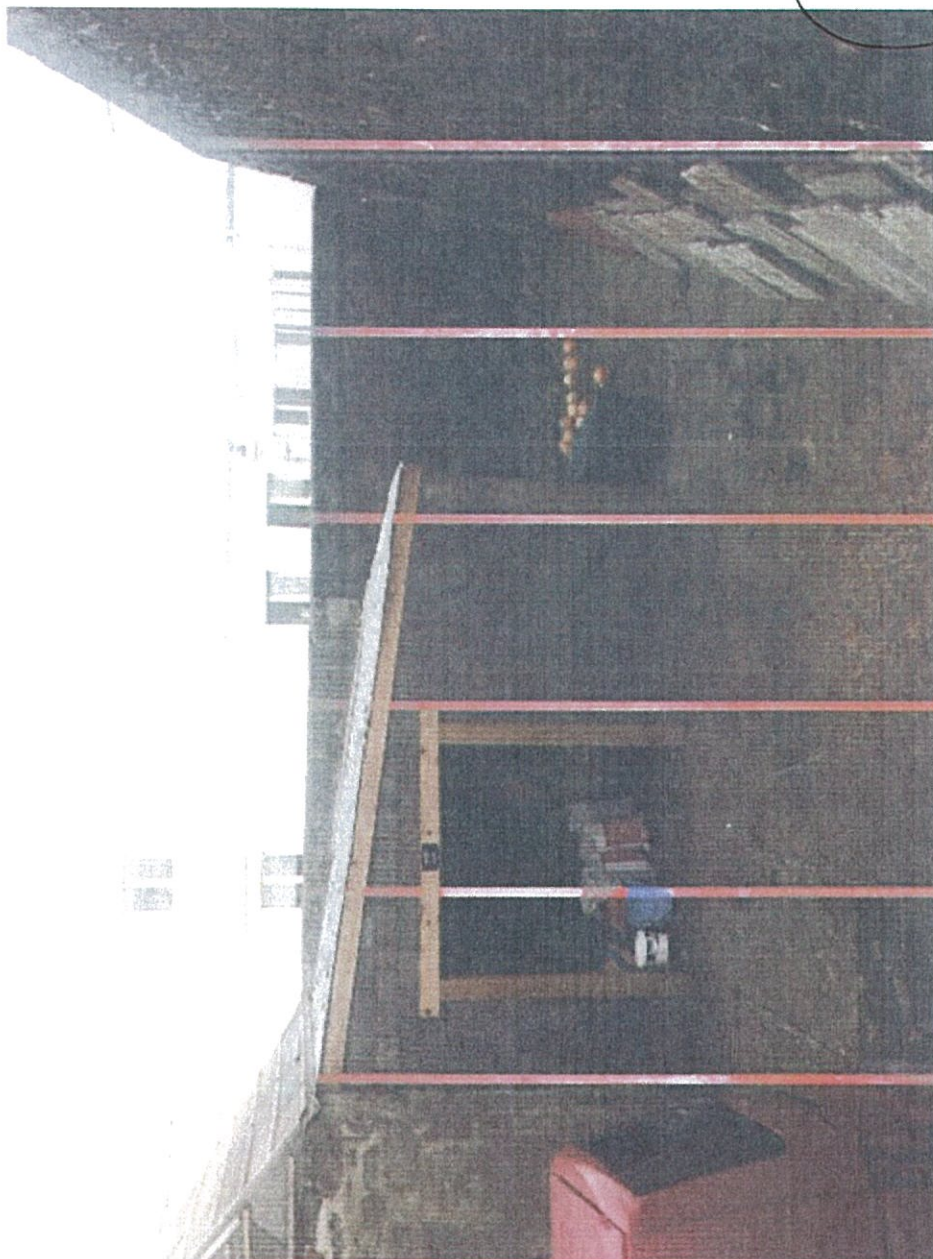
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7



8



201 1011 03

1 of 1 page(s)

To: [simon.stonach@che](#)

New

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Fw:



michael.stewart



Reply

1 of 1

From

[michael.stewart](#)

Options

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Date

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This week

Last week

This month

Select range

From

Wed 15 Dec 2016

To

Wed 15 Dec 2016

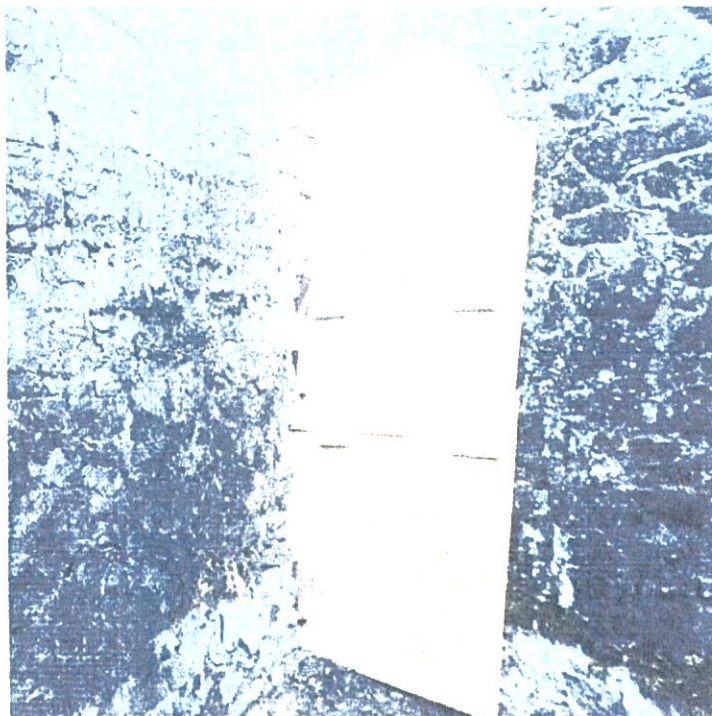
Sheathing ply for protection of Fort Charlotte wall
Used at 8 Harbour Street Lerwick

From: Marilyn Stewart

Sent: 29 November 2016 11:01

To: Michael Stewart

Subject:



Swap ...

In folders

michael stewart

Re: Reply to

$$S_1 = \{x \in T : x \text{ is a } \sigma\text{-limit point of } S\} \quad (1.3)$$

Hi Sandra, Simon

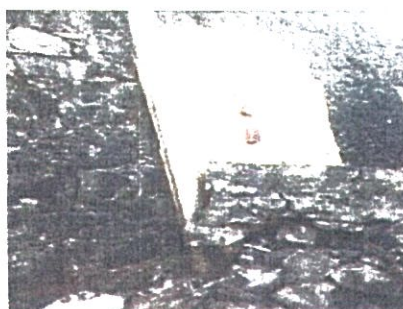
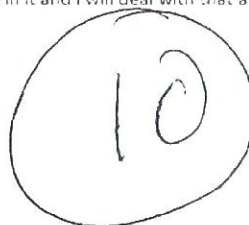
Just to say that gravity took over yesterday and about 1.5 metres of wall came down. There was no damage to the fort wall and as you can see the wooden protection I installed took any impact. I called planning enforcement in for a look last week to take photos so they were aware of the situation.

The remaining wall still has quite a bulge in it and I will deal with that as I feel necessary for safety.

Regards

Michael

From: Marilyn Stewart [REDACTED]
Sent: 20 December 2016 14:51
To: Michael Stewart
Subject:



New Reply Delete Archive Move to Categories

8 Harbour Street

145 michael.stewart

to: norman@... with the following:



to: Reply

Hi Norman

I intend to put in a Notice of Review form for condition (2) and condition (3) regarding 2016/434/PPF

I would like the condition (3) 6 month timescale changed to only include the existing building wall to be demolished rather than the unsafe part which fell down in various stages

Do you have any paperwork on your visit to the site when you were looking at the

Michael



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ALBA

**Ancient Monuments and Archaeological Areas Act 1979
Scheduled Monument Consent Decision Notice**

12

Case ID	300018659	Index no	SM90145
Scheduled Monument	Fort Charlotte, Lerwick		
Location/ Address	Shetland Islands		
Proposed Works	Removal of Wall, replace with 1.8m high wooden gate		

Historic Environment Scotland hereby **grants** scheduled monument consent for the works detailed below without conditions.

Consented Works:

- a) Removal of part of a boundary wall
- b) Replacement with a wooden gate

as described in your application which we validated on 01 November 2016 and the following supporting documents:

- 1) Email from the applicant to HES Casework (15 November 2016)
- 2) Photographs showing boundary wall

Reasons for the Decision:

The works proposed are considered acceptable in meeting the terms of national policy for scheduled monuments, and also accounting for other material considerations.

22 November 2016

Historic Environment Scotland
Longmore House
Salisbury Place
Edinburgh
EH9 1SH



13



Section 10 Representations received following
Notification to interested parties,
and applicant comments

From: Archer S (Sandra)
Sent: Tue, 21 Nov 2017 13:22:37 +0000
To: Holden John@Development Management
Subject: LOCAL REVIEW BODY - 2016/434/PPF - LR30 - 8 HARBOUR STREET, LERWICK, SHETLAND ZE1 0LR
Attachments: 20171121_HES RESPONSE.pdf, CASE_201605927_2.pdf

Please find attached our response to the above Local Review consultation. I also attach our previous response mentioned in our letter.

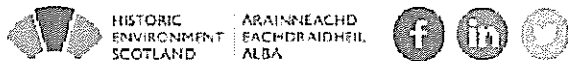
Regards

Sandra

Sandra Archer | Business Support Officer, (SMC) | Heritage Directorate
 Historic Environment Scotland | Àrainneachd Eachdraidheil Alba
 Longmore House, Salisbury Place, Edinburgh, EH11 3AA
 T: [REDACTED]
 E: [REDACTED]

www.historicenvironment.scot

Historic Environment Scotland - Scottish Charity No. SC045925
Registered Address: Longmore House, Salisbury Place, Edinburgh, EH9 1SH



[Read our new Operating Plan for 2017](#)



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Historic Environment Scotland - Scottish Charity No. SC045925
 Registered office: Longmore House, Salisbury Place, Edinburgh, EH9 1SH

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SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: John.holden@shetland.gov.uk

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Mr John Holden
Development Services
Shetland Islands Council
Train Shetland
North Gremista Industrial Estate
Gremista Road
Lerwick
ZE1 0PX

Enquiry Line: [REDACTED]

Our ref: AMH/90145/10
Our case ID: 300024674
Your ref: 2016/434/PPF - LR30

21 November 2017

Dear Sirs,

Notification of Local Review Body Hearing

Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate, Port Charlotte, Lerwick

We have been notified of the above review of the decision to approve planning permission with conditions.

We have made previous comments in relation to this proposal because of the proximity to the scheduled monument known as Fort Charlotte, Lerwick (SM 90145), and have nothing further to add. I attach a copy of our previous correspondence for ease of reference.

If the Review Body has specific questions where our expertise would be useful we, will be happy to provide further submissions in response to these.

Yours faithfully,

Historic Environment Scotland



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SCOTLAND

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EACHDRAIDHEIL
ALBA

By email to:
development.management@shetland.gov.uk

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Environment and Planning
Shetland Islands Council
Infrastructure Services
Grantfield
LERWICK
Shetland
ZE1 0NT

Enquiry Line: [REDACTED]

Our ref: AMH/90145/10
Our Case ID: 201605927
Your ref: 2016/434/PPF
22 February 2017

Dear Sirs

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

8 Harbour Street Lerwick Shetland ZE1 0LR - Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate

Thank you for your consultation which we received on 14 February. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref	Name	Designation Type
M90145	Fort Charlotte, Lerwick	Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the proposals and they do not raise issues of national significance. However, plans provided with the application show a timber entry gate to the rear of the property in close proximity to the curtain wall of the above monument. Further drawings supplies suggest the stobs for the gate will be set into a foundation which extends wider than the gate itself below ground level. The foundations for this gate may therefore extend into the scheduled area of the above monument and if so Scheduled Monument Consent (SMC) would be required for the works. We advise that the applicant contact us in advance of the works to discuss the possible impacts on the scheduled monument. In the first instance they should contact Kevin Grant by e-mail at [REDACTED] or by telephone on [REDACTED]

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. SC045925
VAT No. GB 221 8680 15

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <http://conservation.historic-scotland.gov.uk>.

Please contact us if you have any questions about this response. The officer managing this case is Kevin Grant, who can be contacted by phone on [REDACTED] or by email on [REDACTED]

Yours faithfully

Historic Environment Scotland



Shetland Islands Council

1 of 2

Executive Manager: Iain S McDiarmid
Director: Neil Grant

Mr Michael Stewart
45 St Olaf Street
Lerwick
Shetland
ZE1 0EN

Planning
Development Services
c/o Train Shetland
North Gremista Industrial Estate
Lerwick
Shetland
ZE1 0PX

Telephone: 01595 744293
www.shetland.gov.uk

If calling please ask for:
Mr John Holden
Team Leader - Development
Management
john.holden@shetland.gov.uk
Direct Dial: 01595 743898

Our Ref: 2016/434/PPF – LR30

Date: 21 November 2017

Dear Mr Stewart

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013
Local Review Ref: 2016/434/PPF – LR30
By Mr Mellivora Capensis

I refer further to your notification for review of the above case relating to the proposal: Demolish wall next to Fort, extend existing store, change roof material, fit sign above door (retrospective), install wooden gate: 8 Harbour Street, Lerwick, Shetland, ZE1 0LR

Under the terms of The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, Regulation 10(5), please find attached a copy of a representation that has been received in response to the notice the Shetland Islands Council Local Review Body gave to each interested party under Regulation 10(1) of the 2013 Regulations.

Should you wish to make comments on the representation these may be made in writing to the Shetland Islands Council Local Review Body c/o Planning Service, Development Services, c/o Train Shetland, North Gremista Industrial Estate, Lerwick, Shetland, ZE1 0PX within 14 days of the date of this letter. In doing so you should quote the reference for the review, which is: 2016/434/PPF – LR30 and mark them for the attention of John Holden.

Copies of the documents related to the review may be inspected at the offices of the Planning Service, Development Services, c/o Train Shetland, North Gremista Industrial Estate, Lerwick,, during normal office hours.

Yours sincerely

A black rectangular box used to redact the signature of John Holden.

John Holden
Team Leader - Development Management

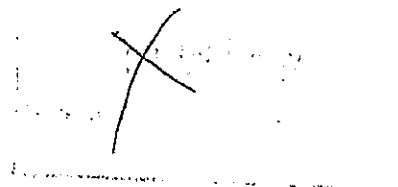
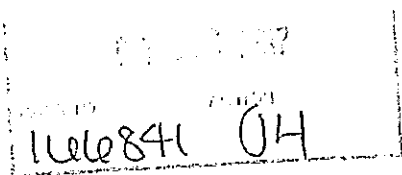
Michael Stewart

45 St Olaf Street

Lerwick

ZE1 0EN

2-12-17



2016/434/PPF – LR30

Dear Mr Holden

Your letter dated 21 November 2017 and comments I wish to make.

1. An e-mail from Pierrick Chevreux, technical advisor at Scottish Water to Paul Allen at Aimera stating the Development Operations Technical team are dealing with the site and will issue a quotation should everything be in order 11 April 2014.
2. Invoice from Aimera for waste and water services 18 April 2014.

I can only assume that both Scottish Water and Aimera (my water and waste provider) are happy with the situation.

3. E-mail from Scottish Water during an ongoing complaint 727386 stating the water was removed due to non-payment but the waste water system was left in place and managed to prevent flooding. This was a complaint regarding the removal of the water supply rather than a PDE as you suggest.
4. E-mail from Scottish Water after I did a FOI request regarding the water removal for non payment.
5. E-mail from John Holden to Scottish Water suggesting uncertainty with the drainage which is at odds with Scottish Waters Development Operation and Aimera, my water and waste provider and has no merit.

I feel that this comment should be the basis of a formal complaint against Mr Holden as it was said without any technical understanding and has only served to confuse matters further.

1

11th April 2014

P Allen
272 Bath Street
Glasgow
G2 4JR



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Free phone Number - [REDACTED]
E-Mail - [REDACTED]

www.scottishwater.co.uk

Dear Paul Allen

ZE1 Lerwick Harbour Street 8
Building Water Temporary Connection Application(s) – Capacity Review
Your Ref: [REDACTED]
Our Ref: [REDACTED]

Thank you for your application regarding the above proposed development. Please note our reference number, which should be quoted on all future correspondence.

Following a capacity review we can now confirm at the present time:

There is currently sufficient capacity in the Sandy Loch Water Treatment Works and our network to service the demands of your development.

Please Note:

There is currently capacity for a construction duration of 3 months.

General Notes:

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head in the public main. Any property which cannot be adequately serviced using this pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws.
- Scottish Water is unable to reserve capacity therefore connections to the water and wastewater networks can only be granted on a first come first served basis. For this reason we will review our ability to serve the development on receipt of an application to connect.

Next Steps:

Your application has now been submitted for design review by our Development Operations Technical Team, who will provide a response within 10 working days. If the

design is satisfactory and no further information is required you will then receive a formal audit and quotation.

If you have any questions, please contact us at [REDACTED] or call us on [REDACTED], quoting your reference number and a member of our team will be happy to assist you.

Yours sincerely

Pierrick Chevreux
Technical Adviser

[REDACTED]



Your Water and Waste Services Invoice

2

Michael Stewart
45 St Olaf Street
Lerwick
Shetland Isles, ZE1 0EN

Invoice Number	
Invoice Date	18 Apr 2017
Payment Terms	Due on receipt

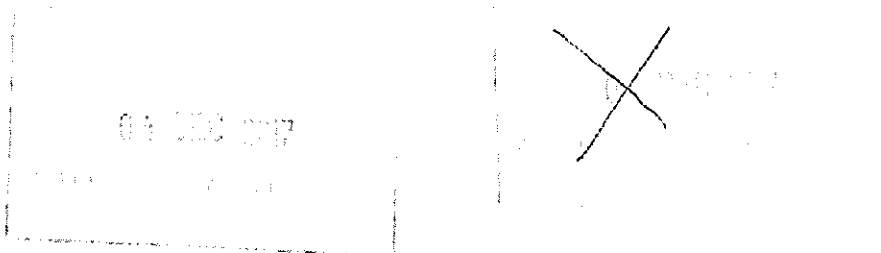
Customer Account Number

Water SPID
Waste SPID
Meter Serial No.
Rateable Value (£)

Account Reference Point:

Start Date	End Date	Start Read	End Read	Consumption	Waste	Meter Size
------------	----------	------------	----------	-------------	-------	------------

Description	Annual Rate	Units	Unit Rate	Amount
Application Fees for new or temporary connections to water or sewer infrastructure		1.00		
Inspection Charge per connection water or sewer.		1.00		



Temporary Water Supply Harbour Court 8 Harbour Street Lerwick ZE1 0EN

Subtotal

VAT Total

Statement Total

Payments Applied

Balance Due (£'s)

How do I pay?

Please pay into the bank account of Aimera Limited, sort code 40-05-30 account number 5432 0263 using the invoice number as reference

Understanding the elements that make up your charges

Water Supply

- An Annual Charge based on the meter size, charged daily.
- A Volumetric Charge based on the recorded consumption at the water meter; charged in £'s per cubic metre.

Waste Water Return

- An Annual Charge based on the meter size; charged daily.
- A Volumetric Charge based on a percentage of the recorded consumption at the water meter; charged in £'s per cubic metre.

Drainage Charges

- Property Charge - for rainwater that drains from your property, based on the Rateable Value (RV) of your premises.
- Roads Charge - your contribution to the public roads drainage system, based on the Rateable Value (RV) of your premises.

For billing enquiries please email

From: James Robertson <[REDACTED]>
Sent: 16 November 2016 16:17
To: michael stewart
Subject: RE: 8 Harbour Street , ZE1 0LR

3

Hi Michael,

As you only purchased the property in March of this year, we are unable to discuss the previous owners situation with bills in detail. You are correct in saying that the site can remain vacant and not give way to removal of services. However, any agreement for the connection to be terminated would have been with the previous owner.

In regards to the wastewater, this system was left in place as the site still existed and surface water would still have to have been managed to prevent flooding.

At the time of purchase, was the status of the water connection disclosed to you?

In conclusion, the water connection was not transferred to the new main as the connection had been isolated for non-payment of water/wastewater charges. The previous owner would have had the opportunity to appoint a Licensed Provider from 2008 up until the point of the new main being installed. As there was no LP appointed and no new connection applied for, the site remained unconnected. In the case of the Wastewater, this remained in place as the site still existed and the wastewater would have to have been managed to prevent flooding. With any Non-Domestic site, if there is no bill being paid for the use of water, we reserve the right to terminate and isolate the water connection.

I hope that this helps clarify the reason why the site was isolated and not re-connected.

I look forward to hearing from you.

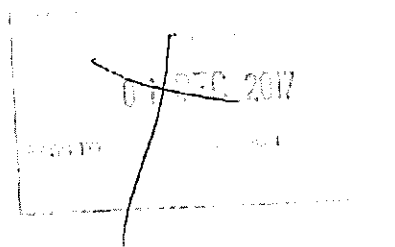
Best Regards,

James Robertson

Administrator | DOMS IAF Non-Complex | Logistics | Development Operations

The Bridge, Buchanan Gate Business Park

Cumbernauld Road, Stepps, G33 6FB



From: Lisa Henderson

Sent: 16 December 2015 11:11

To: [REDACTED]

Subject: Request for Information SR [REDACTED]

Dear Michael,

I have been passed your further email dated 15 December. Under the Freedom of Information (Scotland) Act 2002, I can only provide the information that is held on record. As advised

in my email sent 15 December I can confirm we have no record of a disconnection being made at this property

due to non-payment. On your behalf I have queried your response from James Robertson and have been advised this was through discussion with the local area office. Unfortunately I cannot offer a response on verbal/ hearsay and/or assumed information as this is out with my remit under FOISA 2002.

If you have any queries regarding your FOI request please feel free to contact me and I will be happy to assist.

You can seek a review of this response within forty working days and thereafter appeal to the Scottish Information Commissioner.

Yours sincerely

Lisa Henderson

FOI Analyst

Customer Experience Reporting

Mobile: [REDACTED]

[REDACTED]

From: Holden John@Development Management
Sent: 9 Nov 2017 11:20:46 +0000
To: [REDACTED]
Subject: 1) Scottish Water & Developers Meeting 2) Consultation on Planning Permission 2016/434/PPF now subject of Local Review

Good morning Susanne,

Firstly, thank you to you and your colleagues for taking 'centre stage' at yesterday's Developers Meeting. It was good to meet up with you again, and I will be happy to circulate any presentations and contact information you provide to the invitees to the meeting.

There is a specific case in relation to which you may be able to assist. I didn't raise it yesterday as I had still to properly gather my thoughts on it.

As planning authority we have dealt with a planning application (ref. 2016/434/PPF) for development at 8 Harbour Street, Lerwick (Harbour Court) that includes the extension of an existing store building. The works that have been approved by the Appointed Officer include the connection to existing drains of new surface water drains that are to take and carry water from the flat roof to the extension. The approved plans can be found amongst the documents that are online at:

<https://pa.shetland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIFV65OA02400> .

In handling the application we assessed that the proposals do not increase the amount of hard area within the site, and so they aren't anticipated to generate additional surface water drainage demands, although they change how water from the hard areas reaches the same drains as the existing yard drains to. No details were provided with the application of the drainage system the existing yard drains connect to, and whilst the application form noted discharge to the public sewer, as a Planning Service we considered that given the likely age of drainage systems in the area there was an element of uncertainty as to the status of any below ground pipework immediately adjacent to the site i.e. was it or was it not a public sewer, and then was there indeed a connection to a sewer.

Section 11 Hearing Statements

Michael Stewart

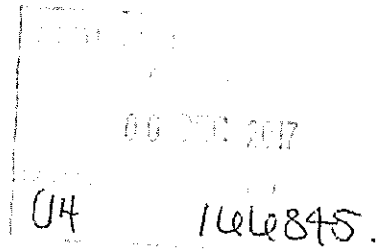
45 St Olaf Street

Lerwick

ZE1 0EN

5/12/2017

2016/434/PPF - LR 30



Hearing statement

I have looked through the councillors pre-election statements in the Shetland Times and it would appear they are individually willing to adopt a degree of common sense in their reasoning.

They also understand that a one size policy sometimes does not fit and without their help small entrepreneurs like myself cannot take on this type of small project.

Perhaps the new information recently seen by myself from Pierrick Chevreux, a Technical advisor with Scottish Water is enough to satisfy the Scottish Water condition imposed by planning.

This comprises an e-mail to Paul Allen at Aimeria (my water and waste water service provider) with an Asset Capacity survey ref 743069 and an Asset Capacity acceptance ref 743743.

I was somehow unaware of this and it would seem an obvious addition to the review documents.

I have in general found the Planning Department and individual planners quite fair to deal with but its only right for me to question something I feel is too onerous and unnecessarily complicated on a small project.

Michael Stewart

1. Copy of Scottish Water Asset Capacity survey
2. Copy of Scottish Water Asset Capacity acceptance
3. Copy of Water and Waste Services invoice from Aimeria





Your Water and Waste Services Invoice

Michael Stewart
45 St Olaf Street
Lerwick
Shetland Isles, ZE1 0EN

Invoice Number	
Invoice Date	18 Apr 2017
Payment Terms	Due on receipt

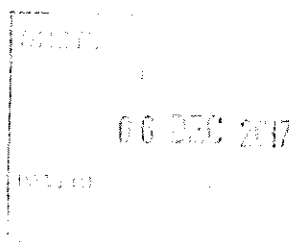
Customer Account Number

Water SPID
Waste SPID
Meter Serial No.
Rateable Value (£)

Account Reference Point:

Start Date	End Date	Start Read	End Read	Consumption	Waste	Meter Size
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Description	Annual Rate	Units	Unit Rate	Amount
Application Fees for new or temporary connections to water or sewer infrastructure		1.00		
Inspection Charge per connection water or sewer.		1.00		



Temporary Water Supply Harbour Court & Harbour Street Lerwick ZE1 0EN

Subtotal

VAT Total

Statement Total

Payments Applied

Balance Due (£'s)

How do I pay?

Please pay into the bank account of Aimera Limited, sort code 40-05-30 account number 5432 0263 using the invoice number as reference

Understanding the elements that make up your charges

Water Supply

- An Annual Charge based on the meter size; charged daily.
- A Volumetric Charge based on the recorded consumption at the water meter; charged in £'s per cubic metre.

Waste Water Return

- An Annual Charge based on the meter size; charged daily.
- A Volumetric Charge based on a percentage of the recorded consumption at the water meter; charged in £'s per cubic metre.

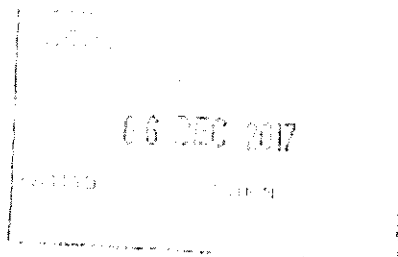
Drainage Charges

- Property Charge - for rainwater that drains from your property, based on the Rateable Value (RV) of your premises.
- Roads Charge - your contribution to the public roads drainage system, based on the Rateable Value (RV) of your premises.

For billing enquiries please email

11th April 2017

P Allen
272 Bath Street
Glasgow
G2 4JR



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations

Freephone Number -

E-Mail -

www.scottishwater.co.uk

Dear Paul Allen

ZE1 Lerwick Harbour Street 8
Temporary Metered Water Connection Application – Technical Audit
Your Ref: [REDACTED]
Our Ref: [REDACTED]

Thank you for your recent application for a temporary connection to the Public Water Supply. Please note our reference number above, which should be quoted on all future correspondence.

Following a review of your application I can now confirm that your proposal complies with the guidelines as detailed in the current edition of Water for Scotland.

Your New Connection/s:

Details of your new connection/s are as shown below:

- 1 x 32mm MDPE connection to 90mm HPPE water main on Harbour Street at approximate grids reference 447528 11416000

General Note:

Should any changes be made to your proposal after receiving this Technical Audit, they must be approved by Scottish Water prior to work commencing. All additional costs incurred by Scottish Water in appraising any amendments may be recharged to you.

Next Steps:

We recommend that you now arrange a Pre Start Meeting with one of our Field Service Advisors to discuss how best to progress with work on site. This will help avoid any potential issues that could later impact upon your connection. Please call our Central Support Team on [REDACTED] to arrange this visit.

A quotation for the works has been included along with this letter. You are required to contact Development Operations on [REDACTED] to confirm your acceptance within 6 months of receipt.

Following your acceptance, an invoice can be raised upon request and issued to the nominated billable customer. This invoice must be paid prior to track inspection or connection.

Site Responsibilities:

The water industry's policy is that polyethylene pipe used for underground water supply purposes should be coloured blue. For information on the selection of pipe materials, please refer current edition of Water for Scotland.

In relation to the connection, you are responsible for:

- An excavation of a minimum 1m x 1m at the point of connection to the public main and to a depth of 150mm minimum below the bottom of the pipe
- Provision of materials including the boundary box as well as any site specific requirements that you have been advised of, such as a pressure control valve, backflow device or pumps and storage etc.
- Providing access chamber for any check valves/non-return valve
- Obtaining the necessary Road Permit from the Local Authority for any excavation works in the public footpath/road
- Obtaining the necessary permission from any land owner, whose land you may require to lay your pipework on or through.

Track Inspection:

- Once you are ready for your connection please contact Development Operations on [REDACTED] to confirm that your site is adequately prepared. We will arrange for our inspector to attend your site to carry out a track inspection. If you would like any further information on the requirements to successfully pass track inspection, please contact us to request an 'Are you ready for your track inspection?' factsheet.

Please note - We require at least 5 working days' notice before your intended track inspection date.

- Should your site not pass inspection, our inspector will indicate this to us and capture the status of your site by obtaining photographic evidence. This evidence may be used to substantiate any additional costs we may incur.

Following a successful track inspection we will then schedule our contractor to carry out the connection within the following **10 working days**.

For a detailed overview of the process step by step please refer to our guide 'A guide to single house connections'. A copy should be enclosed within your letter however you can also access a copy on our website.

I trust the above is acceptable however if you require any further information regarding this matter please contact me on [REDACTED] or on the e-mail address below.

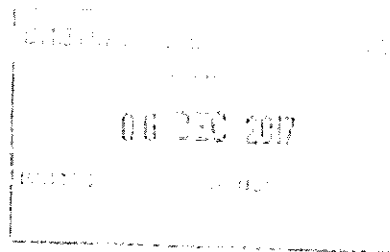
Yours sincerely

Pierrick Chevreux
Technical Adviser

[REDACTED]

11th April 2014

P Allen
272 Bath Street
Glasgow
G2 4JR



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Free phone Number [REDACTED]

E-Mail - [REDACTED]

www.scottishwater.co.uk

Dear Paul Allen

ZE1 Lerwick Harbour Street 8
Building Water Temporary Connection Application(s) – Capacity Review
Your Ref: [REDACTED]
Our Ref: 7 [REDACTED]

Thank you for your application regarding the above proposed development. Please note our reference number, which should be quoted on all future correspondence.

Following a capacity review we can now confirm at the present time:

There is currently sufficient capacity in the Sandy Loch Water Treatment Works and our network to service the demands of your development.

Please Note:

There is currently capacity for a construction duration of 3 months.

General Notes:

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head in the public main. Any property which cannot be adequately serviced using this pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws.
- Scottish Water is unable to reserve capacity therefore connections to the water and wastewater networks can only be granted on a first come first served basis. For this reason we will review our ability to serve the development on receipt of an application to connect.

Next Steps:

Your application has now been submitted for design review by our Development Operations Technical Team, who will provide a response within 10 working days. If the

design is satisfactory and no further information is required you will then receive a formal audit and quotation.

If you have any questions, please contact us at [REDACTED] or call us on [REDACTED] quoting your reference number and a member of our team will be happy to assist you.

Yours sincerely

Pierrick Chevreux
Technical Adviser

[REDACTED]