

**Development
Plan Scheme**
2021 / DRAFT



SHETLAND
ISLANDS COUNCIL

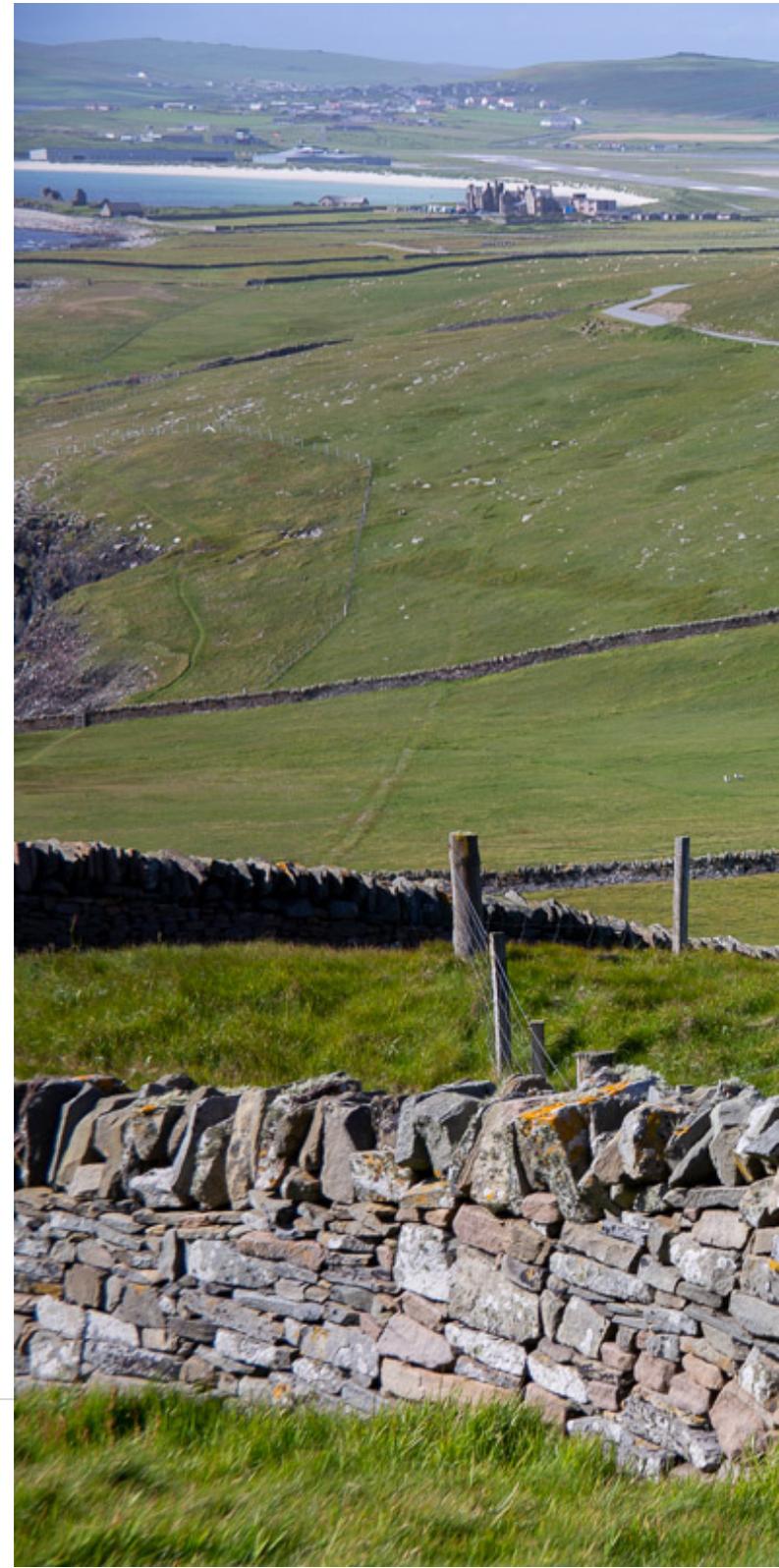
SHETLAND Local Development Plan

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What is a Local Development Plan?

Shetland Islands Council is required to prepare and keep under review a Local Development Plan (LDP) that guides how and where places can be developed and improved across Shetland.

The LDP includes a Local Development Plan that sets out policies and site allocations and Supplementary Guidance (SG) that contain more detailed guidance and, in some instances policy, on specific issues or places.

The Council adopted the Shetland LDP in September 2014 and some of the associated Supplementary Guidance has been adopted since then.

Planning Applications for all types of development in Shetland are determined against the Local Development Plan.

The current Local Development Plan and Supplementary Guidance can be viewed online here:
<http://www.shetland.gov.uk/planning/LDP>

The Planning Service is currently preparing the next Local Development Plan (LDP2)

What is a Development Plan Scheme?

This Development Plan Scheme sets out the programme for preparing and reviewing our Local Development Plan, and explains what is likely to be involved at each stage.

This Development Plan Scheme will cover the following:

- Provide an update on the focus of our work over the coming year
- Indication of timescales for preparing a new Local Development Plan
- Participation statement outlining how and when we will engage with our communities and stakeholders.



UPDATE:

Our current focus is in 3 main areas:

- **Delivery**

A key tool to help and co-ordinate the delivery of the current LDP is our Action Programme.

This is a live document that will be updated bi-annually to reflect the changes on the ground. The team have started work on the 2020/21 Action Programme which we hope to complete in the next few months.

The 2018/2019 Action Programme is available to view here:

http://www.shetland.gov.uk/planning/documents/Action_Programme_document2018_2019.pdf

Scalloway Local Place Plan has now been formally adopted as Supplementary Guidance to the LDP and we continue to provide support to the Scalloway Community while they make progress with delivering on the Plan.

A number of key development sites now have adopted Masterplans and others are coming forward with planning applications.

Monitoring

We have now completed monitoring of the Local Development Plan, our monitoring statement will be published alongside the Main Issues Report and will contribute towards the evidence base for LDP2.

Our Housing Land Audit and Employment Land Audit are published annually. 2019/20 Audits are available to view here: [2019/20 Audits](#)

- **Plan Preparation**

As part of preparing the Local Development Plan, the Council has conducted a Call for Sites, a process through which developers and landowners have submitted potential future development sites to the Council. The Call for Sites closed on 30 June 2019 and the Council has now, with the input of Key Agencies, completed a review of the submissions. Sites proposed to be included in the plan will form part of the Main Issues Report Spatial Strategy.

- **Planning Scotland Act:**

The [Planning \(Scotland\) Act 2019](#) was passed by the Scottish Parliament in June 2019. This sets the future structure of the modernised planning system.

The new Act includes a broad range of changes to be made across the planning system such as:

- arrangements for the preparation of development plans
- proactive masterplanning
- development management procedures and considerations
- strengthening enforcement
- a focus on improved performance and positive outcomes

The detail of how the new Act's provisions will work in practice will be contained within secondary legislation and guidance, which The Scottish Government are developing now and over the coming months.

The Scottish Government will consult on regulations and guidance and is currently reviewing the National Planning Framework (NPF) 4. The Planning Service inputted into this process and our plan preparation process will need to take these into account.

In addition to the work undertaken to support the production of NPF4 we have been required to produce an Indicative Regional Spatial Strategy, a draft of this will be submitted to the Government at the end of April 2021.

COVID-19 has had an impact on the Scottish Government's proposed timetable for implementation of the 2019 Act and we have factored that into our own LDP2 timetable for delivery.



What is happening now and in the future?

Shetland Local Development Plan 2014:

The Local Development Plan is supported by a number of Supplementary and Planning Guidance documents. These can be found on our website:

<http://www.shetland.gov.uk/planning/LocalDevelopmentPlan.asp>

As our main focus is on preparing LDP2 we are not proposing to adopt any further Supplementary Guidance associated to the current LDP.

The Planning Service is involved in the delivery of a number of Council Strategies and Policies and these will inform the content of LDP2.



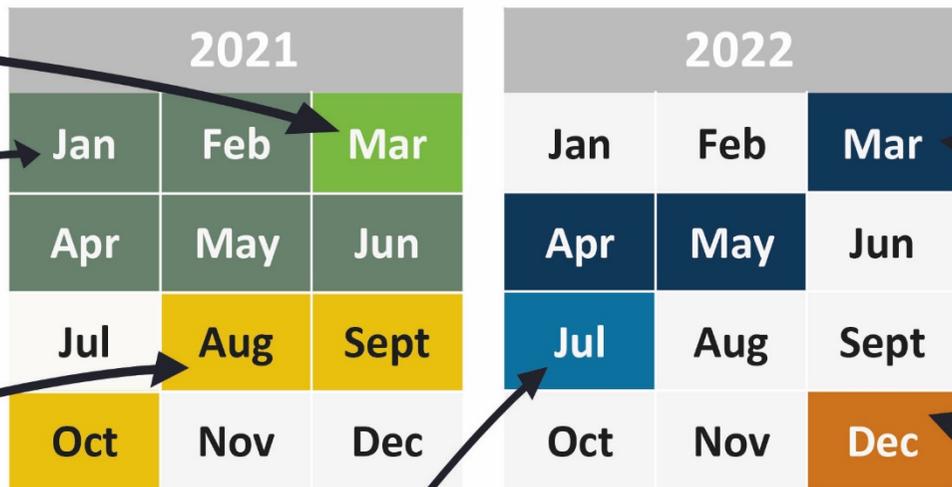
Development Plan Scheme update

Indicative Programme for Shetland
(Subject to the details of new regulations and guidance)

Publish Proposed Plan March 2022
(Consultation period Mar/Apr/May)

PREPARE REPORTS

Consultation on Main Issues Report



Submit to Government for examination period July 2022

Adopt LDP2 December 2022

- 1 DEVELOPMENT PLAN SCHEME UPDATE
- 2 PREPARE MONITORING REPORT, DRAFT ENVIRONMENTAL REPORT & MAIN ISSUES REPORT
- 3 ENGAGEMENT PERIOD - MAIN ISSUES REPORT CONSULTATION
- 4 PUBLISH PROPOSED PLAN
- 5 SUBMIT TO MINISTERS
- 6 ADOPTED LDP2

KEY STAGES / SUBJECT TO THE DETAILS OF NEW REGULATIONS & GUIDANCE

EVIDENCE GATHERING:

The first stage in preparing a new Local Development Plan is to gather the evidence base, this is the longest stage in the plan preparation process and the Planning Service have been working on this for several years. The preparation of the Main Issues Report and the draft Environmental report also happens during this stage. The Call for sites and the subsequent review of submissions happens during this stage, the outcome of the call for sites informs the publication of the Monitoring Report, the Main Issues Report and the Environmental report is the conclusion of this evidence gathering stage.

Complete Call for Sites submission Review - NOV 20

Publish Monitoring Report - AUG 21

Publish Draft Environment Report - AUG 21

CONSULTATION ON MAIN ISSUES AND DRAFT ENVIRONMENT REPORT:

We are required to produce a Main Issues Report which outlines the main land use related issues arising in Shetland in the time period since the adoption of the last Local Development Plan. This is the first formal stage in preparing the LDP is to publish and consult on a Main Issues Report (MIR). It is not a Draft Plan but instead seeks views and opinions on which policy direction and spatial development options could be included in the Proposed Local Development Plan. When our Main Issues Report consultation has completed we will review any representations received, these will inform the content of the Proposed Local Development Plan.

PROPOSED PLAN:

We will publish the Proposed Plan to allow representations which will seek changes to the plan.

Following the close of the period for representations on the Proposed Plan, we may make modifications, but only to take account of representations, consultation responses or minor drafting and technical matters. When we have completed modifications and we are left only with any 'unresolved representations' we will republish the Proposed Plan and submit it to Scottish Ministers, who will examine these unresolved representations.

Publish Proposed Plan and Delivery Programme– MAR 22

Publish Revised environmental Report – MAR 22

Prepare Habitat Regulations Appraisal - MAR 22

Submit to Scottish Ministers – JULY 22

ADOPTION:

Following receipt of the Examination Report from Scottish Ministers – and subject to the recommendations of the Reporter on any unresolved representations – we will progress to adopt LDP2.

Further modified as required. We hope to achieve this by Autumn 22.



IMPACT ASSESSMENTS AND THE LOCAL DEVELOPMENT PLAN:

The public sector has a duty to assess and review the impact of its policies. This includes compliance with the equality duty and a requirement for all Local Development Plans to undergo environmental assessments.

Strategic Environmental Assessment

The Environmental Assessment (Scotland) Act 2005 requires a Strategic Environmental Assessment of the Local Development Plan to be undertaken. This is a process of identifying and assessing the environmental effects of the proposed plan and its policies to ensuring that these are taken into account before they are approved or adopted.

It is a vital tool which places environmental considerations at the heart of decision-making process and makes sure that appropriate alternatives are fully and transparently regarded before final decisions are taken.

We will consult with Scottish Natural Heritage, Historic Environment Scotland and Scottish Environmental Protection Agency in preparing our Strategic Environmental Assessment and compile an Environmental Report. There are opportunities to comment on this document as part of the LDP engagement and consultation process.

Habitats Regulations Appraisal

A Habitats Regulations Appraisal of the potential impacts of the Plan on European Sites will be undertaken as part of the Local Development Plan.

There are a number of designated 'European' sites in Shetland and our plans and policies will be considered against their potential to have an adverse impact on these protected sites and species. We will consult Scottish Natural Heritage in preparing our Habitats Regulations Appraisal.



Equality Impact Assessment

Under the Equality Act 2010 (Statutory Duties) (Scotland) Regulations 2011 we have a duty to undertake an Equalities Impact Assessment of proposed policies and practices. This will be published alongside the proposed Plan.



PARTICIPATION STATEMENT AND ENGAGEMENT TECHNIQUES:

WHO:

In preparing LDP2 we encourage everyone with an interest in Shetland to get involved in the update of the Local Development Plan.

Consultation and engagement are important to us; the LDP can affect where people live, work, shop, play and travel in Shetland. People who live within our many communities and the organisations which operate within our area have useful knowledge which can help us understand potential issues throughout the Isles and their contribution can help us to build a better plan.

WHEN

Our indicative timetable (Appendix 1) highlights the key dates and times when we will be undertaking engagement and consultation. We will advertise key opportunities for engagement nearer the time for each event.

HOW

We want to make it as easy as possible for everyone with an interest to engage in the preparation of LDP2. We recognise that the Shetland Community is widespread and often remote, and acknowledge that we will have to engage with people in a number of different ways in order to be inclusive and for the engagement to be meaningful.

We also need to be prepared to be flexible and adaptable in the ways we engage with the Shetland Community, COVID-19 related restrictions has and continues to present additional challenges to undertaking face to face meetings and other

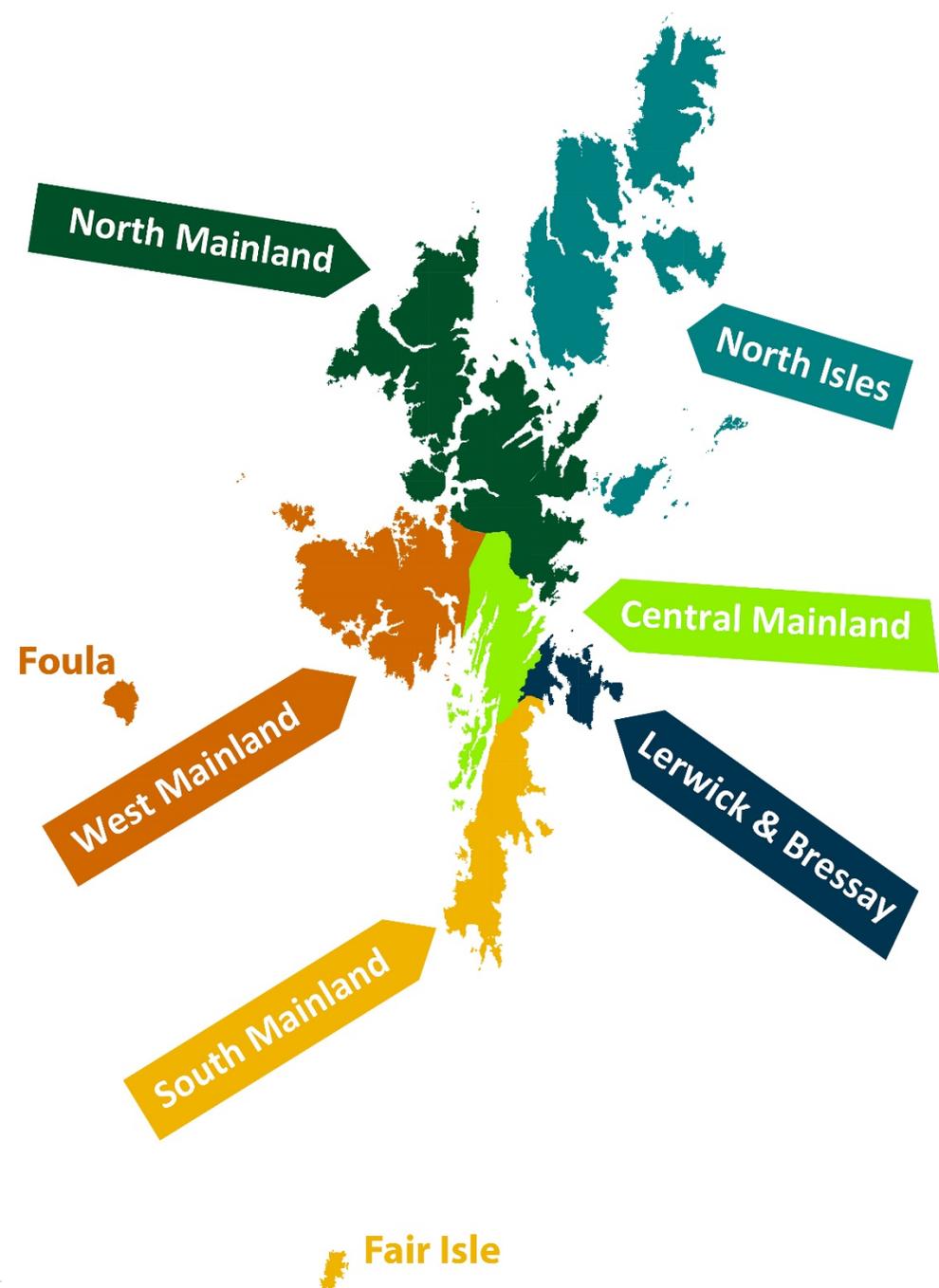
traditionally used methods of engagement but innovative new methods of remote and virtual engagement have proven to be effective in these times and we would seek to use these wherever possible.

KEY STAKEHOLDERS



- Online meetings, webinars, presentations and workshop sessions and when and where practical physical meetings, displays and engagement sessions.
- Staff available to answer questions or provide information via telephone, email and social media and when possible at our Council offices.
- Use of software to produce a virtual meeting place.
- Availability of information and consultation documents through our website promoted by social media, email and letter updates.
- Regular consultation updates to be provided during the consultation via blogs on our website promoted by social media.
- Social media: Information feeds.
- Provide updates at key stages to those who have requested to receive updates or responded to the development plan consultations.
- Interactive online mapping of the Local Development Plan.
- Disseminate information through Community Councils, Council Offices and community buildings such as local libraries and leisure centres.
- Placing articles and adverts in local and community media (magazine / newspapers / websites etc.)
- Work with schools in the area to engage young people
- Briefing meetings to be arranged for Councils and Government agencies.

For Further information on LDP2 plan preparation visit our website:
<http://www.shetland.gov.uk/developmentplans/planshetland.asp>



LDP2 Timeline:

STAGE	KEY WORKLOAD IN EACH STAGE of LDP	DATES	KEY WORKLOAD IN EACH STAGE OF Environmental Assessment (SEA and HRA)	DATES	CONSULTATION / ENGAGEMENT
EVIDENCE GATHERING	<ul style="list-style-type: none"> PUBLISH DPS CONCLUSION OF CALL FOR SITES SUMMARY & SUPPORTING INFORMATION COMPLETE PREPARATION OF MONITORING STATEMENT CONCLUSION OF CALL FOR SITES ASSESSMENT COMPLETE PREPARATION OF MAIN ISSUES REPORT 	<p>April 2021</p> <p>April 2021</p> <p>COMPLETE</p> <p>June 2021</p> <p>AUGUST 2021</p>	<ul style="list-style-type: none"> PREPARE SCOPING REPORT AND SUBMIT TO GATEWAY COMMENCEMENT OF HRA COMPLETE PREPARATION OF DRAFT ENVIRONMENTAL REPORT 	<p>APRIL 2021</p> <p>MARCH 2021</p> <p>AUG 2021</p>	<ul style="list-style-type: none"> ENGAGE WITH KEY AGENCIES THROUGHOUT UPDATE COUNCILLORS ON PLAN PROGRESS
PUBLISH & CONSULT ON MAIN ISSUES REPORT	<ul style="list-style-type: none"> PUBLISH MONITORING REPORT PUBLISH MIR AND SUBMIT TO GATEWAY CONSULT/ENGAGE COMMENCE REVIEW OF CONSULTATION RESPONSES 	<p>AUGUST 2021</p> <p>AUGUST 2021</p> <p>AUG – OCT 2021</p> <p>OCTOBER 2021</p>	<ul style="list-style-type: none"> PUBLISH DRAFT ENVIRONMENTAL REPORT AND SUBMIT TO GATEWAY 	<p>AUG 2021</p>	<ul style="list-style-type: none"> EXTENSIVE PERIOD OF PUBLIC ENGAGEMENT INCLUDING: <ul style="list-style-type: none"> CONSULTATION ON MIR CONSULTATION ON ENVIRONMENTAL REPORT
PROPOSED PLAN	<ul style="list-style-type: none"> PREPARE PROPOSED PLAN PREPARE DELIVERY PROGRAMME PREPARE EQUALITIES IMPACT ASSESSMENT, STRATEGIC FLOOD RISK ASSESSMENT AND OTHER 	<p>OCT 2021 - MAR 2022</p> <p>OCT 2021 - MAR 2022</p> <p>OCT 2021 - MAR 2022</p>	<ul style="list-style-type: none"> PREPARE REVISED ENVIRONMENTAL REPORT PREPARE HRA 	<p>OCT 2021- MAR 2022</p> <p>OCT 2021- MAR 2022</p>	

	IMPACT ASSESSMENTS AS REQUIRED				
PUBLISH AND CONSULT ON PROPOSED PLAN	<ul style="list-style-type: none"> PUBLISH PROPOSED PLAN PUBLISH DELIVERY PROGRAMME PUBLISH REVISED ENVIRONMENTAL REPORT <p style="text-align: center;">CONSULT</p> <ul style="list-style-type: none"> CONSIDER REPRESENTATIONS PREPARE SUMMARY OF UNRESOLVED ISSUES PREPARE REPORT OF CONFORMITY WITH PARTICIPATION STATEMENT 	<p>MAR 22 MAR 22 MAR 22</p> <p>MAR - MAY 22 MAY 22 MAY - JUNE 22</p> <p>MAY 22</p>	<ul style="list-style-type: none"> PUBLISH HRA PUBLISH ENVIRONMENTAL REPORT 	<ul style="list-style-type: none"> MAR 22 MAR 22 	<ul style="list-style-type: none"> 6 WEEK (MINIMUM) CONSULTATION NOTIFICATION TO NEIGHBOURS OF ALLOCATED SITES
SUBMISSION TO SCOTTISH MINISTERS	<p>SUBMIT THE FOLLOWING:</p> <ul style="list-style-type: none"> PROPOSED PLAN DELIVERY PROGRAMME REPORT OF CONFORMITY WITH PARTICIPATION STATEMENT NOTE OF REPRESENTATIONS AND HOW TAKEN INTO ACCOUNT 	<ul style="list-style-type: none"> JULY 22 	<ul style="list-style-type: none"> SUBMIT HRA TO GATEWAY 	<ul style="list-style-type: none"> JULY 22 	<ul style="list-style-type: none"> PUBLICISE SUBMISSION OF PLAN
EXAMINATION	<p>EXAMINATION UNDERTAKEN BY DPEA</p> <p>EXAMINATION REPORT PUBLISHED BY DPEA</p> <ul style="list-style-type: none"> CONSIDER RECOMMENDATIONS AND PREPARE MODIFICATIONS 				

	<ul style="list-style-type: none"> • PROVIDE STATEMENT OF EXPLANATION FOR NOT ACCEPTING ANY RECOMMENDATION WITHIN 3 MONTHS 				
ADOPTION	<ul style="list-style-type: none"> • PUBLISH MODIFICATIONS AND PROPOSED PLAN AS MODIFIED • SEND PROPOSED PLAN AS MODIFIED TO MINISTERS PLANNING AUTHORITY ADOPTS PLAN PUBLISH DELIVERY PROGRAMME 	<p>ON COMPLETION OF EXAMINATION</p> <p>WITHIN 3 MONTHS OF PLAN ADOPTION</p>	<ul style="list-style-type: none"> • PUBLISH POST ADOPTION SEA STATEMENT & SUBMIT TO GATEWAY 	<p>ON COMPLETION OF EXAMINATION</p>	<ul style="list-style-type: none"> • ADVERTISE INTENTION TO ADOPT PLAN



SHETLAND

ISLANDS COUNCIL

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