

Appendix 11

Policy Assessment Matrix

Following confirmation of the LDP' strategic direction that was informed by the Preferred Options and Alternatives presented in the Main Issues Report a draft set of strategic policies were developed in order to deliver the objectives of the LDP. The LDP policies were assessed through an 'initial or light touch' informal appraisal by the Council Planning Service. The purpose of the assessment was to derive the sustainability implications in terms of implementing the policies and to identify areas for improvement, either through the enhancement of predicted positive effects or mitigation of predicted negative significant effects.

A number of potential policies were drafted for the LDP and assessed by the SIC Planning Team. Each were assessed informally against 10 SEA objectives and their supporting criteria questions shown in Table 1 below. The policy wordings that have gone into the draft LDP are generally those that were considered to produce the most positive and least negative effects. Mitigation measures to reduce the impact of negative effects and strengthen positive impacts were also identified.

Mitigation measures have been recommended where there are potentially negative impacts arising from the implementation of a policy. In order to assess whether the LDP is moving towards sustainable development, the LDP policies will be monitored. The proposed monitoring framework is discussed in Appendix 13.

Mitigation Measures

The mitigation measures suggested for the LDP are based upon:

- Level of detail provided in the policy
- Scale of the potential effect (e.g. Shetland wide or site specific)
- Level of detail in the baseline information (e.g. scale of coverage)
- Understanding of the environmental and sustainability issues affecting the area
- Requirements /deliverables of the Local Plan

The policies provided within the LDP vary in terms of the level of spatial reference attributed to them. For example, some of the policies can be applied to the whole of Shetland and do not refer to certain site boundaries or locations, whereas policies relating to Areas of Best Fit tend to be more settlement specific.

In some situations the lack of spatial reference associated with some of the policies has the potential to reduce the accuracy by which their effect on the environment can be predicted and evaluated. Without knowledge of the exact area that will be affected by a policy, it is difficult to accurately identify the receptors that it will affect or their relative importance. It is also difficult to determine exactly how the baseline will change (magnitude) if specific baseline information is not available. As a consequence of this lack of spatial reference, some of the findings of the SEA are not based upon specific baseline data, but on a detailed understanding of the characteristics of Shetland as a whole, and an understanding of how the policies will interact with the surrounding environment.

The Policy Assessment Matrix below in Table 3 presents a summary of the overall performance of the draft strategic policies and highlights influences in order to push policy wording toward having a more positive impact against the SEA Objectives. The overall performance of the policy is identified using a scoring system and criteria presented in Table 1 below. Overall, the Draft LDP appeared to generate more benefits from an economic perspective, with lesser or neutral benefits being generated for the environment. It was suggested that LDP should seek to create a greater focus on environmental issues alongside economic and social factors. In certain instances, some of the SEA objectives conflicted with the LDP's strategic policies. This resulted in some revisions to LDP policies by strengthening their focus and descriptions to add clarity.

Table 1 SEA Objectives and Criteria Questions

SEA Topic	SEA Objectives	SEA Checklist of Appraisal Criteria Each of these sub-criteria forms a question: 'Is the policy or proposal likely to?'
Biodiversity (Flora and Fauna)	To further the conservation of biodiversity	<p>Does the policy or proposal have a beneficial or adverse effect on:</p> <ul style="list-style-type: none"> • The integrity of any SPA's and SACs? • The favourable conservation status of any wild bird species? • The Scottish status of a UKBAP priority habitat or species? • The status of a threatened Scottish Biodiversity list habitat or species? • The favourable conservation status of a habitat or species listed in Annexes I, II IV or V of the Habitats Directive? • A Marine Consultation Area? <ul style="list-style-type: none"> • Does the policy or proposal protect biodiversity, wildlife or natural habitats from disturbance or impacts associated with development? (E.g. Renewable energy development projects, oil & gas infrastructure, business & commercial development, tourism, recreation, roads & transport etc.) • Does it provide opportunities for ecological enhancement? • Does the policy contribute to maintaining the environmental quality of Shetland?

SEA Topic	SEA Objectives	SEA Checklist of Appraisal Criteria Each of these sub-criteria forms a question: 'Is the policy or proposal likely to?'
Population	<p>To improve the quality of life for people and communities across Shetland</p> <p>To provide good quality affordable housing that meets the requirements of the local population</p> <p>To encourage the development of sustainable communities</p> <p>To promote sustainable economic growth</p>	<ul style="list-style-type: none"> • Contribute towards improving quality of life for people and communities across Shetland? • Promote community integration and social inclusion? • Promote vibrancy and vitality? • Provide access to local health, social and recreational facilities and services? • Promote safe and secure environment? • Supports affordable or rental housing? • Promote good building design practice and sustainable settlement patterns or locations? • Support appropriate siting within the surrounding landscape or settlement pattern? • Contribute towards improving access to facilities and services? • Promotes measures to improve community car parking and road safety? • Provide amenity space? • Contribute towards improving the community environment or supports sustainable mixed development? • Maintains the quality of the local environment (air, land and water)? • Support sustainable transport options and associated infrastructure? • Encourage jobs and economic prosperity? • Encourage diversification for employment and community benefit? • Contribute to sustainable waste management and recycling?
Human Health	<p>To improve the quality of health in Shetland</p>	<ul style="list-style-type: none"> • Contribute towards improving the quality of health and the local environment e.g. better air quality, water quality, less noise or sustainable waste disposal • Contribute to sustainable rural communities? • Contribute to the goal of creating active, healthy lifestyles for Shetland islanders? • Contribute towards improving access to health, recreation and care services for all Shetland islanders?
Soil	<p>To protect Shetland's soil and peat</p>	<ul style="list-style-type: none"> • Encourage the use of these resources in a sustainable manner? • Protect Shetland's peat, soil and geological resources?

SEA Topic	SEA Objectives	SEA Checklist of Appraisal Criteria Each of these sub-criteria forms a question: 'Is the policy or proposal likely to?'
	resource and use them in a sustainable manner	<ul style="list-style-type: none"> • Avoid disturbance of areas of peatland? • Reduce the ability of Shetland's soils to store carbon? • Make use of derelict vacant or other brownfield land? • Avoid development on better quality land available for agriculture? • Prevent land contamination or encourage land remediation? • Promote opportunities for habitat creation, enhancement or management? • Prevent coastal erosion?
Water	To protect and enhance freshwater and marine water quality	<ul style="list-style-type: none"> • Protect and enhance freshwater and marine water quality? • Ensure that Shetland's water resources are used effectively and sustainably? • Protect the integrity of the physical aspect of the water environment? • Promote a sustainable drainage infrastructure? • Have a physical impact on a watercourse or the coastline?
	To reduce or manage flood risk with and from any new developments	<ul style="list-style-type: none"> • Reduce and manage flood risk through appropriate siting of development? • Consider the implications of climate change and the risk of flooding? • Promotes the incorporation of increased resilience to the effects of climate change in the design and siting of developments?
	To ensure that Shetland's water resources are used effectively and sustainably	<ul style="list-style-type: none"> • Ensure connection to public sewerage infrastructure? • Ensure the provision of adequate drainage infrastructure to support new development? • Ensure no point source pollution from septic tanks and small treatment works? Encourage sustainable water use or reduction in water use? • Encourage the use of Sustainable Urban Drainage Systems (SUDs)?
Air	To protect Shetland's air quality	<ul style="list-style-type: none"> • Pose any risks to air quality? • Encourage activities that could contribute to maintaining or improving good air quality? • Contribute towards enabling a reduction in CO² emissions e.g. through the appropriate siting

SEA Topic	SEA Objectives	SEA Checklist of Appraisal Criteria Each of these sub-criteria forms a question: 'Is the policy or proposal likely to?'
		<p>and design of development or a reduction in energy usage?</p> <ul style="list-style-type: none"> Promote the reduction of emissions of CO₂ and other greenhouse gases, e.g. by promoting the increased use of public transport or active travel?
Climatic Factors	To reduce greenhouse gas emissions and to contribute to Scotland's 80% CO ₂ reduction target	<ul style="list-style-type: none"> Help in reducing greenhouse gas emissions? Increase the potential for public transport or promote active transport options? Take account of the predicted effects of climate change, and adapt appropriately?
	To adapt to the predicted effects of climate change such as flood risk.	<ul style="list-style-type: none"> Increase the risk or likelihood of flooding of any property, planned or existing? Put other assets at risk from flooding? Ensure that people and property are protected from flooding? Avoid the risks of flooding?
	Facilitate the development and /or use of energy generated from renewable energy or low carbon technologies and contribute to meeting climate change greenhouse gas reduction targets	<ul style="list-style-type: none"> Facilitate the development and /or use of energy that is generated from renewable energy using natural resources e.g. wind, wave, tidal etc.

SEA Topic	SEA Objectives	SEA Checklist of Appraisal Criteria Each of these sub-criteria forms a question: 'Is the policy or proposal likely to?'
Material Assets	To promote the sustainable use of Shetland's natural resources	<ul style="list-style-type: none"> • Encourage the sustainable use of natural resources? E.g. minerals and aggregates • Lead to a reduction in the use of natural resources? • Encourage the use of local instead of imported materials?
	To provide opportunities for sustainable waste management	<ul style="list-style-type: none"> • Promote the waste hierarchy of reduce, re-use and their recovery through recycling, composting or energy recovery, in line with 2020 national targets? • Encourage site waste management planning, recycling or disposal? • Provision of waste storage and collection? • Provision of recycling facilities?
Cultural Heritage	To conserve and protect the historic environment including buildings, archaeological sites and other culturally important features	<ul style="list-style-type: none"> • Impact on the historic environment? • Conserve and protect the historic environment? • Safeguard archaeological sites? • Help in raising public awareness and understanding of cultural heritage and how the public influence the continuing development of cultural heritage? • Conserve and enhance cherished aspects of local cultural heritage? • Contribute to local character, customs and traditions? • Affect the setting of any listed buildings, historic sites or culturally important sites? • Sensitive reuse or conversion of buildings?
	To safeguard distinctive cultural heritage features and their settings through the responsible design and siting of development	<ul style="list-style-type: none"> • Safeguard cultural heritage features and their settings through the promotion of responsible design and siting of development?

SEA Topic	SEA Objectives	SEA Checklist of Appraisal Criteria Each of these sub-criteria forms a question: 'Is the policy or proposal likely to?'
Landscape and Built Environment	To protect the special qualities and characteristics of Shetland's landscapes and seascapes	<ul style="list-style-type: none"> • Consider all landscape and seascape implications? • Contribute to landscape and seascape protection? • Enhance degraded landscapes and seascapes? • Consider minerals extraction and landscape implications?
	To improve those landscapes and seascapes that are degraded	<ul style="list-style-type: none"> • Generate adverse effects on the integrity and/or special qualities of the National Scenic Area? • Strengthen the integrity and/or special qualities of National Scenic Areas? • Promote sensitive re-use of land? • Considers mineral extraction and landscape impact implications?
	Improve the quality and design of the built environment	<ul style="list-style-type: none"> • Promote improvements to the quality and design of Shetland's built environment? • Promote respect for urban form, settlement pattern or identity? • Sensitive re-use of buildings?

Table 2 Policy Assessment Scoring System and Criteria

Score	Description	Symbol
Significant Positive Effect	The proposed policy contributes significantly to the achievement of the objective.	++
Minor Positive Effect	The proposed policy contributes to the achievement of the objective but not significantly.	+
Negligible / Neutral Effect	The proposed policy does not have any effect on the achievement of the objective, or any effect is negligible.	0
Minor Negative Effect	The proposed policy detracts from the	-

	achievement of the objective but not significantly.	
Significant Negative Effect	The policy detracts significantly from the achievement of the objective.	--
Uncertain Effect	The proposed policy has an uncertain relationship to the objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an assessment to be made.	?

Table 3 Policy Assessment Matrix											
SEA Objective	Biodiversity (Flora and Fauna)	Population	Human Health	Soil	Water	Air	Climatic Factors	Material Assets	Cultural Heritage	Landscape and Built Environment	
Policy											
General Policies	Assessment										
GP1 Sustainable Development (GDS1 & 3)	+	+	+	+	+	+	+	+	+	+	+
<p><u>Policy</u></p> <p>Development will be planned to meet the economic and social needs of Shetland in a manner that does not compromise the ability of future generations to meet their own needs and to enjoy the area’s high quality environment. Tackling climate change and associated risks is a major consideration for all development proposals.</p> <p>New residential, employment, cultural, educational and community developments should be in or adjacent to existing settlements that have basic services and infrastructure in order to enhance their viability and vitality. This will be achieved through Allocations, Sites with Development Potential and Areas of Best Fit.</p> <p><u>Justification</u></p> <p>The Planning etc. (Scotland) Act 2006 places a duty on planning authorities to contribute to sustainable development. SPP highlights the need to incorporate sustainable development and the tackling of climate change into the development plan process.</p> <p>Enabling sustainable development requires coordinated action, combining economic competitiveness and social inclusion with environmental quality. The planning system is important as a means of integrating policies and decision making through its influence over the location of development and other ways in which the land is used. Planning decisions should favour the most sustainable</p>											

option, promoting development that safeguards and enhances the long-term needs of the economy, society and the environment. All relevant issues must be considered together before a decision is made, looking at long-term implications as well as short-term effects.

This general development policy, together with those that follow, takes into account the need to help mitigate and adapt to the causes of climate change. It also aims to ensure that sustainable development is delivered in a fair, concise and consistent manner; promoting development, but protecting our environment, built heritage and the amenity of those adjacent users affected by development proposals.

To meet the economic and social needs of Shetland this plan identifies allocated land and sites with development potential. In addition AoBF have been identified to provide a focus for growth within and adjacent to the largest community in each locality and large islands in Shetland. Within AoBF amenities such as schools, shops, employment and essential infrastructure are all readily available through a range of transport options, maximising opportunities for all. New housing, employment and community development is encouraged within these areas, particularly on previously developed land. Opportunities are sought to promote active travel within these communities.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

GP2 General Requirements for All Development	++	+	0	0	+	+	+	0	0	+
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Policy

Applications for new buildings or for the conversion of existing buildings should meet all of the following General Requirements:

- a. Developments should not adversely affect the integrity or viability of sites designated for their landscape and natural heritage value.
- b. Development should not occur any lower than 5 metres Above Ordnance Datum (Newlyn) unless the development meets the requirements of Policy WD1;
- c. Suitable water, waste water and surface water drainage must be provided;
- d. Include the use of low and zero carbon generating technologies (LZCGT) in accordance with the current Scottish Building Regulations.
- e. Suitable access, car parking and turning should be provided;
- f. Development should not adversely affect areas, buildings or structures of archaeological, architectural or historic interest;
- g. Development should not sterilise mineral reserves;
- h. Development should not sterilise allocated sites as identified within the Shetland Local Development Plan;
- i. Development should not have a significant adverse effect on existing uses;
- j. Development should not compromise acceptable health and safety standards or levels;
- k. Development should be consistent with National Planning Policy, other Local Development Plan policies and Supplementary Guidance.

1. Development should be located and designed so as to adapt to impacts arising from climate change, such as the increased probability of flooding; water stress, such as water supply; health or community impacts as a result of extreme climatic events; and a change in richness of biodiversity.

Justification

A forward-looking, visionary and ambitious Plan will guide future development. This Plan provides potential developers and investors with guidance and the opportunity to participate in shaping the future of Shetland's communities; and give a structure within which decisions can be made with confidence. The Plan will lead and guide change.

These General Requirements set out to:

- Ensure that Shetland's natural and man-made resources are used sustainably;
- Maintain and enhance the natural heritage and landscape character of Shetland;
- Maintain and enhance the vitality and viability of existing settlements;
- Reflect the established settlement pattern;
- Support the rural population and reduce rural depopulation;
- Reinforce existing development patterns;
- Reduce servicing costs;
- Promote well ordered, sustainable, accessible and safe development;
- Support and implement the requirements of the Climate Change (Scotland) Act 2009;
- Make best use of existing infrastructure and services;
- Build safe, pleasant and successful communities
- Promote opportunities for participation and healthy lifestyles

Forthcoming Supplementary Guidance Design will provide more information on minimising energy use.

Comments (Mitigations and Amendments to Policy)

Extensive consultation with stakeholders (SNH, SEPA) was undertaken and led to amendments and the final formulation of this policy. These focused on the protecting natural heritage and landscapes, supporting the use of low carbon generating technologies, importance of flood prevention, sustainable water usage, reducing impacts on built, archaeological and cultural heritage, climate change adaptation and conservation of biodiversity.

GP3 All Development : Layout and Design	0	++	0	0	0	+	++	++	0	+
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Policy

All new development should be designed to respect the character and local distinctiveness of the site and its surroundings.

The proposed development should make a positive contribution to:

- maintaining identity and character
- ensuring a safe and pleasant space
- ensuring ease of movement and access for all
- a sense of welcome
- long term adaptability, and
- good use of resources

The Planning Authority may request a Masterplan and/or Design and Access Statement in support of development proposals.

A Masterplan should be submitted with applications where Major Development is proposed; Major Development is defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, Reg 2 (1). Further details for these requirements are set out in Supplementary Guidance.

Justification

Good design brings many benefits – a diverse mix of uses and housing types, increased values and reduced energy consumption. Most importantly it can lead to a better quality of life for everyone and ensure thriving and successful communities.

Design is a material consideration in determining planning applications and in *Designing Places (2001)* the Scottish Government set out its expectations of the planning system to deliver high standards of design in development and redevelopment projects. Respecting and/or responding to site context ensures that Shetland’s distinctiveness and identity in terms of landscape and townscape plays a central role in determining patterns of development.

Development should be sited to harmonise with the key features of the surrounding area with particular attention being made to massing, form and design details, particularly within sensitive areas such as Conservation Areas, the National Scenic Area, Local Landscape Areas, Historic Landscapes and where the setting of Listed Buildings and Scheduled Ancient Monuments may be affected.

Masterplanning and design statements are tools to achieve an inclusive design process. The extent of the design process will depend on the size of the development site and type of development proposed.

The masterplan process should be used for large-scale housing developments and where mixed use developments are proposed. Design guidance sets out the step-by-step process towards achieving healthy, inclusive and sustainable communities.

Comments (Mitigations and Amendments to Policy)

This policy was strengthened to ensure development does not adversely impact on key features of surrounding areas. Protection of Conservation Areas, National Scenic Areas, Historic landscapes, Listed Buildings and Scheduled Ancient Monuments with good design has been emphasised. Extensive consultation with SNH and SEPA led to amendments and the final formulation of this policy.

Natural Heritage Policies

NH 1 Natural Heritage	++	0	0	0	0	0	0	0	0	0
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Any development proposal that is likely to have a significant effect on an internationally important site, (Special Area of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites) and is not directly connected with or necessary to the conservation management of that site will be subject to an assessment of the implications for the site's conservation objectives. Development that could have a significant effect on a site will only be permitted where:

- An appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or
- There are no alternative solutions, and
 There are imperative reasons of over-riding public interest that may, for sites not hosting a priority habitat type and/or priority species, be of a social or economic nature.

Development that affects a National Scenic Area (NSA) or a Site of Special Scientific Interest (SSSI) will only be permitted where:

- It will not adversely affect the integrity of the area or the qualities or protected features for which it has been designated, or
- Any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

Planning permission will not be granted for development that would be likely to have an adverse effect on a European Protected Species unless the Council is satisfied that:

- There is no satisfactory alternative, and
- The development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- The development will not compromise favourable conservation status of the species.

Where there is good reason to suggest that a species listed on Schedule 1, 5 or 8 of the Wildlife and Countryside Act (1981) as amended, is present on site, or may be affected by a proposed development, the Council will require any such presence to be established. If such a species is present a mitigation plan should be provided to avoid or mitigate any adverse impacts on the species, prior to determining the application.

Planning permission will not be granted for development that would be likely to have an adverse effect on a species listed on Schedule

1, 5 or 8 of the Wildlife and Countryside Act (1981) as amended, unless the development is required for preserving public health or public safety. For development affecting the habitat of a Schedule 1 species of bird there must also be no other satisfactory solution.

Applicants should submit supporting evidence for any development meeting these criteria, demonstrating both the need for the development and that a full range of possible alternative courses of action have been properly examined and none found to acceptably meet the need identified.

Further guidance can be found in Supplementary Guidance – Natural Heritage.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed

NH2 Furthering the Conservation of Biodiversity	++	0	0	0	0	0	0	0	0	0
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Where development has the potential to further the conservation of biodiversity it will only be permitted where appropriate measures are identified to conserve and enhance biodiversity and the ecosystem services it delivers to an extent that is considered relevant and proportionate to the scale of the development.

Proposals for development that would have a significant adverse effect on habitats or species identified in the Shetland Local Biodiversity Action Plan, Scottish Biodiversity List, UK Biodiversity Action Plan, or on the ecosystem services of biodiversity, including any cumulative impact, will only be permitted where it has been demonstrated by the developer that;

1. The development will have benefits of overriding public interest including those of a social or economic nature that outweigh the local, national or international contribution of the affected area in terms of habitat or populations of species; and
2. Any harm or disturbance to the ecosystem services, continuity and integrity of the habitats or species is avoided, or reduced to acceptable levels by mitigation.

Further guidance is provided in Supplementary Guidance - Natural Heritage.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed

NH3 Local Designations

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Development that affects a Local Nature Conservation Site or Local Landscape Area will only be permitted where:

- It will not adversely affect the integrity of the area or the qualities for which it has been identified; and
- Any such effects are clearly outweighed by social, environmental or economic benefits.

More information and guidance can be found in:
Supplementary Guidance – Local Nature Conservation Sites
Supplementary Guidance – Local Landscape Areas

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

NH4 Soils (including peat)

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Development will only be permitted where appropriate measures are taken to maintain soil resources and functions to an extent that is considered relevant and proportionate to the scale of the development.

Proposals that will have an unacceptable effect on soil resources and functions will only be permitted where it has been demonstrated that:

1. The development will have benefits of overriding public interest including those of a social or economic nature that outweigh the local, national or international contribution of the affected area in terms of its soil functions;
2. Any harm or disturbance to the soil resources and functions is avoided or reduced to acceptable levels by suitable mitigation.

Evidence of the adoption of best practice in the movement of, storage, management, reuse and reinstatement of soils must be submitted along with any planning application. For certain scales of development a soil management plan will be required. This should demonstrate that risks to soils, such as unnecessary disturbance, degradation and erosion have been avoided

Further guidance is provided in Supplementary Guidance – Natural Heritage

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

NH5 Geodiversity	0	0	0	++	0	0	0	0	0	0
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Development will only be permitted where appropriate measures are taken to protect important geological resources and sites including those of educational or research value.

Proposals that will have an unavoidable effect on geodiversity will only be permitted where it has been demonstrated that:

1. The development will have benefits of overriding public interest including those of a social or economic nature that outweigh the local, national or international contribution of the affected area in terms of its geodiversity;
2. Any loss of geodiversity is reduced to acceptable levels by mitigation.

For certain scales of development where a soil management plan is required, reference should also be made to geodiversity on site.

Further guidance is provided in Supplementary Guidance – Natural Heritage

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

NH6 Water Environment	0	0	0	0	++	0	0	0	0	0
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New development should not have a negative impact on Shetland’s marine and freshwater resources.

Any development proposals involving engineering works adjacent to any waterbody must be accompanied by sufficient information to enable a full assessment to be made of the likely effects.

Where there is potential for the development to have an adverse impact the applicant/developer must demonstrate:

- a) That there is no deterioration in the ecological status of any waterbodies.
- b) That it does not encroach on any existing buffer strips and that access to these buffer strips has been maintained.
- c) That both during the construction phase and after completion it would not significantly affect:
 - a) Water quality flows in adjacent watercourses or areas downstream.
 - b) Natural flow patterns and sediment transport processes in all waterbodies.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

Historic Environment

The Council recognises the importance of protecting and enhancing the historic environment, both for its intrinsic value and for the

contribution that it makes to Shetland's sustainable economic growth and the quality of life of its people. In assessing applications submitted under the Planning (Scotland) Acts that affect the historic environment and the setting of individual elements of the historic environment the Council will consider the proposals against the policies within this Plan and any associated supplementary guidance, as well as in relation to legislative requirements and national policies and guidance.

HE1 Historic Environment	0	+	0	0	0	0	0	0	0	++	+
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The Council should presume in favour of the protection, conservation and enhancement of all elements of Shetland's historic environment, which includes buildings, monuments, landscapes and areas.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

HE2 Listed Buildings	0	+	0	0	0	0	0	0	0	++	+
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Development affecting a listed building, or its setting, should preserve the building, its setting, and any features of special architectural or historic interest that it possesses.

The layout, design, materials, scale, siting and use of any development should be appropriate to the character and appearance of the listed building and its setting.

Proposals for the total or substantial demolition of a listed building should only be supported where it can be clearly demonstrated that every effort has been made to retain it.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.											
HE3 Conservation Areas	0	0	0	0	0	0	0	0	0	++	+
<p>Development within a conservation area or affecting its setting should preserve or enhance its character. The design, materials, scale, siting and use of any development should be appropriate to the character of the conservation area and its setting.</p> <p>Where an existing building contributes positively to the character of the conservation area, proposals for total or substantial demolition should only be supported where it can be clearly demonstrated that every effort has been made to retain it.</p> <p>The planning authority should preserve the amenity value of trees in conservation areas.</p> <p>Comments (Mitigations and Amendments to Policy)</p> <p>Following evaluation no amendments to this policy have been proposed.</p>											
HE4 Archaeology	0	+	0	0	0	0	0	0	0	++	0
<p>Scheduled monuments, designated wrecks and other identified nationally important archaeological resources should be preserved in situ, and within an appropriate setting. Developments that have an adverse effect on scheduled monuments and designated wrecks or the integrity of their settings should not be permitted unless there are exceptional circumstances.</p> <p>All other significant archaeological resources should be preserved in situ wherever feasible. Where preservation in situ is not possible the planning authority should ensure that developers undertake appropriate archaeological excavation, recording, analysis, publication and archiving in advance of and / or during development.</p> <p>Comments (Mitigations and Amendments to Policy)</p>											

Following evaluation no amendments to this policy have been proposed.											
HE5 Gardens and Designed Landscapes	0	+	0	0	0	0	0	0	0	++	0
Development affecting gardens and designed landscapes should protect, preserve and enhance such places and should not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.											
<u>Comments (Mitigations and Amendments to Policy)</u>											
Following evaluation no amendments to this policy have been proposed.											
HE6 Trees and Woodlands	0	+	0	0	0	0	0	0	0	+	+
The planning authority should protect trees, groups of trees and areas of woodland by making Tree Preservation Orders where this appears expedient in the interests of amenity and / or that the trees, groups of trees or woodlands are of cultural or historical significance.											
The planning authority should ensure that, through the development management process, adequate provision is made for the preservation and planting of trees.											
<u>Comments (Mitigations and Amendments to Policy)</u>											
Following evaluation no amendments to this policy have been proposed.											
Coastal Development											
CST 1 Coastal Development	+	0	0	0	0	+	0	0	0	+	+

Proposals for developments and infrastructure in the coastal zone (Mean High Water Springs out to 12 nautical miles) will only be permitted where the proposal can demonstrate that:

- It will not have a significant impact, either individually or cumulatively, on the natural and built heritage, including cultural heritage, resources either in the sea or on land;
- The location, scale and design are such that it will not have an impact individually or cumulatively on the character of the coast;
- It does not result in any deterioration in ecological status or potential for any water body or prevent it from achieving good ecological status in the future;
- There is no significant adverse impact on other users of marine resources in the area of the proposed development, including neighbouring land.

Proposals for marine aquaculture developments or amendments to existing fish farm developments will be assessed against the Supplementary Guidance Policy for Aquaculture which forms part of the Development Plan and provides the relevant policy framework.

For all other new marine developments or variations to existing marine infrastructure proposals will be assessed against the Council's Works Licence Policy that details the policy framework for determination of applications.

All proposals will be assessed against the Shetland Marine Spatial Plan that sets out a spatial strategy and policy framework to guide marine developments in the coastal waters around Shetland. The Marine Spatial Plan identifies the constraints developers are required to consider when contemplating development in the coastal area and will form supplementary guidance to this plan.

Comments (Mitigations and Amendments to Policy)

Coastal erosion is not covered in the above policy, however the Scottish Sustainable Marine Environment Initiative (SSMEI) – Shetland Marine Plan will form Supplementary Guidance. Supplementary Guidance for Aquaculture and Works Licences has policies that cover coastal erosion.

Housing										
H1 Effective Land Supply	0	+	0	0	0	0	0	0	0	0
<p>The Council will through the provision of Allocations and Sites with Development Potential seek to identify an effective land supply to meet the housing needs of Shetland for the lifetime of this Plan and beyond.</p> <p>If planning permission is granted on Allocated Sites or Sites with Development Potential and development has commenced for a use or layout not in accordance with the allocation description in the SLDP the remainder of the site will be re-assessed and may be withdrawn.</p>										
Comments (Mitigations and Amendments to Policy)										
Following evaluation no amendments to this policy have been proposed.										
H2 Areas of Best Fit	++	++	0	0	0	0	0	0	0	0
<p>This plan identifies 8 Areas of Best Fit throughout Shetland in order to promote sustainable locations for residential or residentially compatible development in every locality.</p> <p>The 8 Areas of Best Fit identified are:</p> <ul style="list-style-type: none"> • Baltasound • Mid Yell • Symbister 										

- Brae
- Aith
- Scalloway
- Lerwick
- Sandwick

Major Developments (developments in excess of 50 units or 2 Hectares) should only occur within Areas of Best Fit unless the applicant can provide evidence of demand in an alternative area or that no land is available for development within the best fit area.

Areas of Best Fit (AoBF) have been identified to provide a focus for growth within and adjacent to the largest community in each of the seven localities in Shetland. In the North Isles, Areas of Best Fit have been identified at both Baltasound and Mid Yell, this means there are eight Areas of Best Fit.

Within Areas of Best Fit amenities such as schools, shops, employment and essential infrastructure are readily available through a range of transport options.

All areas identified as Areas of Best Fit;

- Can connect to the main sewer
- Are within 800 m (walking distance) of two of the following; convenience store/post office (only one in any count), GP surgery, primary school, public hall, play park
- No part of any of the Shetland Mainland Areas of Best Fit is more than 400 metres from a public bus service (either feeder buses or primary routes)
- No part of any AoBF is below the 5m contour or shown on the SEPA flood maps
- Low likelihood of having significant impacts on biodiversity including European or locally designated nature conservation sites

<u>Comments (Mitigations and Amendments to Policy)</u>										
The development of above policy was informed by an internal sustainability report and site assessment checklist. The Council paid particular attention to flooding avoidance and minimising impacts on biodiversity including European or locally designated nature conservation sites while it was developing its new spatial framework for the Local Development Plan.										
H3 All Housing Development	+	+	0	+	0	0	0	0	0	+
New residential development should take place in Allocated Sites, Sites with Development Potential, Areas of Best Fit on Brownfield Land or on Undeveloped Land within existing settlements in that order of desirability. Isolated residential development in the open countryside will not be supported.										
<u>Comments (Mitigations and Amendments to Policy)</u>										
Following evaluation no amendments to this policy have been proposed.										
H4 Affordable Housing	0	++	0	0	0	0	0	0	0	0
The Council will work in partnership with private developers, other housing organisations and agencies to ensure the provision of affordable and social rented housing to meet need throughout Shetland. New housing developments should provide for the needs of those seeking housing in the area.										
<u>Comments (Mitigations and Amendments to Policy)</u>										
Following evaluation no amendments to this policy have been proposed.										
H5 Siting and Design	0	++	0	0	0	0	0	0	0	+

<p>a) Development will be supported if it fits well into the surrounding landscape and settlement pattern. For example, where the settlement pattern dictates, dwellings should be sited within or adjoining a group of at least two or more buildings of domestic scale.</p> <p>b) The proposed dwellings would not result in linear development, a road safety problem that may require remedial works or would sterilise future development opportunities.</p> <p>All new residential development should meet the requirements of the residential Design Policy as set out in Supplementary Guidance.</p>											
<p><u>Comments (Mitigations and Amendments to Policy)</u></p> <p>Following evaluation no amendments to this policy have been proposed. General Policy 3 All Development : Layout and Design covers the importance of good design and all new development must meet the requirements laid down in the supporting Supplementary Guidance.</p>											
H6 Amenity Space in Housing Developments	+	++	++	0	0	0	0	0	0	0	0
<p>All new residential development should provide an appropriate amount of private amenity space.</p> <p>New residential development proposals of 20 dwellings or more should incorporate a minimum of 0.12 acres (0.05ha.) of informal communal space.</p> <p>Developments, which result in a significant loss of outdoor privacy of existing residents, will not be permitted.</p> <p>In making provision for open space in developments, opportunities should be taken where appropriate, to landscape areas in order to promote and enhance local biodiversity and encourage active lifestyles, recognising the health benefits of both.</p>											
<p><u>Comments (Mitigations and Amendments to Policy)</u></p>											

Following evaluation no amendments to this policy have been proposed.										
H7 Residential Caravans and other Temporary Residential Structures	0	0	0	0	0	0	0	0	0	0
Applications for the siting of residential caravans and other temporary structures for residential purposes, or proposals for the blocking-in of existing structures, will be subject to the same criteria and policies that apply to applications for new dwellings. Proposals for residential caravans will be granted temporary planning permission only. Site restoration conditions will be applied.										
<u>Comments (Mitigations and Amendments to Policy)</u>										
Following evaluation no amendments to this policy have been proposed.										
H8 Uninhabited Islands	0	0	0	0	0	0	0	0	0	0
The Council will not support the re-population of uninhabited islands.										
<u>Comments (Mitigations and Amendments to Policy)</u>										
Following evaluation no amendments to this policy have been proposed.										
Economic Development										
ED1 Support for Business and Industry	+	++	++	0	0	0	0	0	0	0
The Council encourages the creation of sustainable economic development opportunities and business developments in accordance										

with General requirements policies (GP1, GP2, and GP3). Areas for Business and Industrial Uses have been identified through the Local Development Plan process and are contained within *Supplementary Guidance – Location of Industry*. Residentially compatible development will be encouraged within settlements throughout Shetland in order to contribute to the development of strong, healthy, vibrant and sustainable rural communities.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

ED2 Commercial and Business Developments	+	++	0	0	0	0	0	0	0	0
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The Council will support proposals for retail and commercial and business developments, which promote employment opportunities, community benefits, rural diversification and tourism related ventures and contribute to the viability of existing settlements where they comply with general requirements policies (GP1, GP2, and GP3) and do not conflict with residential amenity.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

ED3 Lerwick Town Centre	0	++	0	0	0	0	0	0	0	0
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The Council supports the ongoing regeneration and development of the Lerwick town centre to ensure the future vibrancy, vitality and sustainability of the area.

Supplementary Guidance – Lerwick Town Centre outlines priorities for the Town Centre and provides detailed guidance on town centre developments.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

Transport

TRANS 1 Transport	0	++	+	0	0	+	0	0	0	0
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The relationship between transport and land use strongly influences the pattern of development. The Shetland Local Development Plan and the Shetland Transport Strategy in partnership with external agencies, operators and providers should integrate different modes of transport to support sustainable economic growth, social well-being and healthy communities. The Council will support proposals that;

1. sustain the economy of Shetland through maintaining an appropriate level of accessibility by road, sea and air;
2. support the provision and improvement of public transport services and information across Shetland in accordance with the approved spatial strategy;
3. reduce the need to travel through decentralisation of development opportunities, thereby reducing commuting;
4. promote awareness of travel options in order to limit traffic growth;
5. develop public transport corridors and promote innovative/flexible public transport usage;
6. develop facilities for walking and cycling as an alternative means of transport;
7. support an improved footpath network within and between settlements;
8. improve the human environment by promoting road design that meets the six qualities of successful places as set out in Designing Places¹;
9. undertake selected road improvement, bridge or tunnel building or reconstruction projects where these can be justified by gains in terms of ; long-term funding, economic growth, safety, environment, accessibility and integration;
10. improve and enhance access to Lerwick town centre and other existing settlements by all forms of transport;
11. improve facilities for access by disabled people.

¹ Designing Places: A Policy Statement for Scotland – Scottish Government April 2008

<u>Comments (Mitigations and Amendments to Policy)</u>										
Policies were strengthened by aligning them with the objectives contained in the ZETRANS Local Transport Strategy for Shetland.										
TRANS 2 Inter-Island Links	0	+	0	0	0	0	0	0	0	0
The Council is committed to supporting and safeguarding Shetland’s air services, ferry services and associated infrastructure. Development proposals that prejudice the present or future operation of transport routes including fixed link approach routes and services should not be permitted.										
<u>Comments (Mitigations and Amendments to Policy)</u>										
Following evaluation no amendments to this policy have been proposed.										
TRANS 3 Access and Parking	0	+	0	0	0	0	0	0	0	0
All developments should provide:										
<ul style="list-style-type: none"> • A safe and adequate access, visibility splay and turning area in accordance with the standards set out in Supplementary Guidance – Parking and Access Standards. • Adequate car parking and service facilities in accordance with the Council’s current standards, which are set out in Supplementary Guidance – Parking and Access Standards. 										
<u>Comments (Mitigations and Amendments to Policy)</u>										
Following evaluation no amendments to this policy have been proposed.										

Renewable Energy										
E1 Renewable Energy	++	0	0	+	+	++	++	0	0	+
<p>The Council is committed to delivering renewable energy developments that contribute to the sustainable development of Shetland. Proposals for renewable energy developments will be supported where it can be demonstrated that there are no unacceptable impacts on people (benefits and disbenefits for communities), the natural and water environment, landscape, historic environment and the built environment and cultural heritage of Shetland.</p> <p>All proposals for renewable energy developments will be assessed with consideration of their cumulative impacts.</p> <p>Further detailed guidance on renewable developments is provided in Supplementary Guidance</p> <p>Justification</p> <p>Renewable energy comes from natural sources that are constantly and sustainably replenished such as sunlight, wind, rain, tides, wave and biomass; it also includes energy from waste.</p> <p>This policy and related guidance supports and facilitates the alternative generation of energy whilst safeguarding Shetland’s unique natural and historic environment.</p> <p>Renewable energy developments can provide a sustainable opportunity for diversification within the Shetland economy.</p> <p>There is potential for communities and small businesses to invest in ownership of renewable energy projects or develop their own projects for the benefit of local communities.</p>										

The Scottish Government's targets are to reduce emissions by 42% by 2020 and by 80% by 2050 through the Climate Change (Scotland) Act 2009. Development Plans have a duty to contribute to sustainable development and encourage zero and low carbon developments.

Shetland demonstrates a number of strengths that support the development of renewable technologies and the Plan seeks to support these opportunities ensuring that Shetland's renewable energy potential is optimised.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

Minerals

M1 Minerals	+	0	0	0	0	0	0	+	0	+
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The Council is keen to encourage diverse employment opportunities throughout Shetland and encourage sustainability. Mineral and aggregate reserves have the potential to provide employment and locally sourced materials for construction, in addition to supplying export markets.

The Council should seek to safeguard aggregate sources and mineral deposits, to ensure where possible, Shetland's need is met using local resources. Commercial extraction will be allowed in suitable locations in accordance with Supplementary Guidance – Minerals.

Comments (Mitigations and Amendments to Policy)

Minerals and aggregate reserves are covered within existing Interim Planning Policy. Forthcoming Supplementary Guidance will reference appropriate environmental safeguards to protect local biodiversity or habitats from the effects of mineral extraction and make

reference to minimisation and positive re-use of mineral, and construction and demolition wastes.

Waste

W1 Waste Hierarchy	0	+	+	0	0	0	0	++	0	0
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The Council will support proposals for waste management facilities which fulfil the requirements of national and local waste strategies, or plans, and take account of the waste hierarchy and the best practicable environmental option (BPEO), recognising the difficulties of remote geographical localities, transportation costs and the impact this has on the potential to recycle low-value materials.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

W2 Waste management Facilities	0	+	+	0	0	0	0	0	0	0
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Waste management activities and waste related industries, including those dealing with special waste or Naturally Occurring Radioactive Material (NORM) waste, will be encouraged to locate in the area around Greenhead, Rova Head and Dales Voe. Applications will also be supported in other areas identified for industrial or storage and distribution uses.

Proposals for new or extended waste management sites outwith these allocations will only be approved where it is clearly demonstrated that there is no acceptable allocated alternative sites or preferable disposal options available.

Existing waste management sites will be safeguarded from development that would sterilise or prevent their future development or extension

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

W3 Closed landfill sites	0	0	0	++	0	0	0	0	0	0
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Proposals for new buildings intended for either human and animal occupation on closed and disused landfill sites should not be permitted, however proposals for the re-use of landfill sites, which exploit opportunities for habitat creation, enhancement and management, should be supported.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

W4 Contaminated land	0	0	0	++	0	0	0	0	0	0
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Where development is proposed at a site known to be contaminated, or at a site where there is a reasonable expectation of contamination, the applicant will be required to undertake suitable remediation measures before the commencement of any new use.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

W5 Waste management plans and facilities in all new developments	0	+	+	0	0	0	0	++	0	0
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<p>Developers must submit an appropriate Site Waste Management Plan (SWMP), which demonstrates how the waste generated by the development during the construction phase will be dealt with, including how the materials will be reused, recycled and how any remaining waste will be disposed of, in accordance with the waste hierarchy.</p> <p>Adequate space must be provided for storage and collection of all waste and appropriate recycling facilities within the completed development.</p>										
<p>Comments (Mitigations and Amendments to Policy)</p> <p>Following evaluation no amendments to this policy have been proposed.</p>										
<p>Water and Drainage</p>										
WD1 Flooding Avoidance	0	0	0	0	++	0	++	0	0	0
<p>Proposals for development below the 5 metre contour (5 metres above Ordnance Datum, Newlyn) or in other areas shown to be at risk of flooding or coastal erosion, will not be permitted unless the development:</p> <ul style="list-style-type: none"> • The location is essential for operations, such as harbours, piers, offshore energy and fisheries related activities: • Does not increase flood risk to surrounding properties and/ or land • Will have no significant adverse impact on the natural and built environment as well as cultural heritage <p>AND, in cases where the location is not essential for operations:</p> <p>Appropriate acceptable mitigation measures can be undertaken to ensure the development itself will not be subject to flooding]</p> <p>If there is any doubt the precautionary principle will apply. Further policy and guidance on undertaking a Flood Risk Assessment can be</p>										

found in Supplementary Guidance Flooding and Drainage.

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

WD2 Waste Water	0	0	0	0	++	0	0	0	0	0
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New developments which require waste water disposal are expected to connect to the public sewer.

The development of private septic tanks and wastewater systems should only be permitted if a public wastewater system is not present within or adjacent to the associated settlement.

Where a connection to the public sewer is not achievable and a wastewater system such as a private septic tank is proposed the developer should demonstrate that:

- The necessary requirements specified by Building Standards and SEPA can be met;
- There should be no detrimental effect, including cumulative effect, on the surrounding uses, natural, built environment and cultural heritage.

Further policy guidance can be found in Supplementary Guidance Flooding and Drainage

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.

<u>WD3 SuDs</u>	0	0	0	0	++	0	0	0	0	0
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<p>All development proposals that will give rise to surface water run-off should incorporate Sustainable Drainage Systems (SuDS). Further policy and guidance on the design and implementation of SuDS can be found in Supplementary Guidance Flooding and Drainage.</p> <p>Comments (Mitigations and Amendments to Policy)</p> <p>Following evaluation no recommendations for mitigation to this policy have been proposed</p>											
Community facilities											
CF1 Community Facilities and Services	+	++	++	0	0	0	0	0	0	0	+
<p>The Council encourages proposals for the provision of community facilities, services and infrastructure that respect Shetland’s culture and natural and historic environment.</p> <p>Proposals should relate sympathetically to the landscape of which they are a part, and to the scale and existing level of activity in the locality. Proposals should also comply with the General Policies (GP1, GP2, and GP3).</p> <p>Comments (Mitigations and Amendments to Policy)</p> <p>Following evaluation no recommendations for mitigation to this policy have been proposed</p>											
CF2 Open Space	++	++	+	0	0	0	0	0	0	0	0
<p>The SLDP will protect from inappropriate development, established recreation areas identified in the Open Space Audit and Strategy and important open spaces that contribute to the recreational amenity or environmental quality of the area (Shetland). Details of the identified areas are included in Supplementary Guidance – Open Space.</p>											

Comments (Mitigations and Amendments to Policy)

Following evaluation no amendments to this policy have been proposed.