

Monitoring Statement 2022



SHETLAND
ISLANDS COUNCIL



SHETLAND Local Development Plan

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PART 1: INTRODUCTION

The Council is required through the Planning etc. (Scotland) Act 2006 to produce a 'Monitoring Statement'. This Monitoring Statement will both monitor the adopted Local Development Plan 2014 (LDP1) and will also inform the new replacement Local Development Plan 2.

Shetland's current Local Development Plan was adopted in 2014 where it set out the Council's land use strategy for the next 20 years and also set out the Council's vision and spatial strategy. The Monitoring Statement is a key element in providing an evidence based approach to assess how well the adopted LDP is performing.

What is a Monitoring Statement?

Planning Circular 6/2013: Development Planning, sets out the requirement for planning authorities to produce a Monitoring Statement. The Monitoring Statement provides part of the analysis of the performance of the current Development Plan, and where appropriate, the Monitoring Statement will help inform the preparation of the next Local Development Plan. This is partly done by focusing on the wider impact of the current plan on area and population-wide indicators, and how far the objectives and vision of the previous plan have been realised. It will also be one of the ways to identify any issues to address within the Main Issues Report.

The Monitoring Statement will focus on changes in physical, economic, social and environmental characteristics of communities and areas within Shetland, and the impact of proposals (approved developments) and policies of the existing plan, on those communities.

The Monitoring Statement will be updated at appropriate times in the development plan process. The Council will publish a Monitoring Statement alongside the Main Issues Report (Outline how monitoring is undertaken (consultation; policy review etc)

What is the Time Period Being Reviewed?

The Monitoring Statement must assess how our Local Development Plan 2014 has fared in terms of achieving its objectives, and how effective the policies contained within the Plan have been.

As part of the monitoring process, national and local strategies have been looked at in detail as part of the evidence gathering process, to assess key policy changes that may impact on the policies contained within the current Local Development Plan. This includes any strategies or plans introduced after the publication of the current Plan in 2014 until the end of the review period of 31 December 2020.

The policy usage statistics stated in Part 2 of this monitoring statement, covers the period between October 2014 to December 2019. The period during the COVID-19 pandemic has not been included within the policy review statistics, as this was felt at

the time, to be exceptional circumstances and not indicative of 'normal' operating circumstances.

How this Monitoring Statement is structured

- The Monitoring Statement is divided into 7 Key sections:
- Part 1: Introduction
- Part 2: Context
- Part 3: Key Policy Changes Since Plan Adoption
- Part 4: Policy Review
- Part 5: Policy Review Continued and Plan Performance
- Part 6: Emerging Issues
- Part 7: The Next Local Development Plan 2

Scottish Government Priorities

Evaluation of planning policy and the inclusion of potential development sites via the Call for Sites process (see Main Issue 1: Spatial Strategy for more information) has been undertaken with reference to the four overriding principles that currently govern the content of Local Development Plans in Scotland:

Paragraph 9, and the following paragraph of Scottish Planning Policy identifies a set of **four specific outcomes** to which development plans must contribute. These are to create:

- Successful sustainable places;
- Low carbon places;
- Natural resilient places; and
- More connected places.

The review of the current LDP policies has also been undertaken against the current National Planning Framework 3 and Scottish Planning Policy.

National Planning Framework 3

National Planning Framework 3 (NPF3) is a national spatial strategy for development, which identifies developments that the Scottish Government considers to be of national importance. It also provides an overarching vision for Scotland's regions, highlighting key matters for local-level spatial strategies to consider. NPF3 identifies the following for Shetland:

- Lerwick forms a focus for regeneration and development activity, provides crucial services and acts as a cultural centre for the Shetland Islands. Fishing

continues to increase its already significant contribution to the Shetland economy. Tourism and creative sectors are priorities for growth. The town is an important transport hub, with the harbour providing inter-island ferry connections and links to Aberdeen, Orkney and further afield, and benefiting from continuing growth in the cruise market.

- Lerwick has significant potential to support renewable energy development in the waters off Shetland, as recognised in the National Renewables Infrastructure Plan. The development of a grid connection to the mainland will be essential to facilitate this. Existing assets like Sullom Voe and the adjacent TOTAL gas plant, will continue to play an important economic role. Opportunities will arise from the decommissioning of existing offshore oil and gas infrastructure.
- Scottish Ministers recognise the case for further empowering our island communities, and have worked with the island councils of Shetland, Orkney and Eilean Siar, as well as the mainland Councils with islands, to explore how to give this practical effect. In line with this, our spatial strategy reflects the special planning challenges and opportunities for the Northern and Western Isles, including our potential to lead deployment of new offshore renewable technologies, scope for other sectors including tourism and food and drink, and the importance of digital and transport links to the rest of Scotland.
- Strengthening the electricity grid will be essential in unlocking renewable resources, both onshore and offshore. Interconnectors to the Western Isles, Orkney and Shetland and onshore connections for offshore renewables on other parts of the coast are all required to fully realise the potential for diverse and widely distributed renewable energy development.
- Outdoor recreation is important throughout the coastal and marine area, with the West Highlands being a particular asset. Cruise activity is also expected to develop. This will bring opportunities for ports from Lerwick and Orkney, to Portree and Greenock, and may require further investment to accommodate larger vessels in the future. The Crinan and Caledonian canals are important assets, as are the World Heritage Sites in Orkney and St Kilda – and those included on the tentative list of sites for nomination in Caithness and Shetland.
- Several deep water assets, including at Scapa Flow, Stornoway, Shetland and in the Moray Firth, may present opportunities for new or expanded ports to take advantage of this and of wider opportunities, including for tourism development.

Emerging NPF4 (Position statement)

The Scottish Government are preparing a new spatial plan for Scotland that will look ahead to 2050, and will set out where future development can bring benefits for people, the economy and environment. The fourth National Planning Framework (NPF4) will show what Scotland, as a place, could and should look like in 2050. It will include national planning policies, providing a clear and coherent plan for our future development. And it will have the status of development plan, informing day to day planning decisions.

NPF4 will embed the UN Sustainable Development Goals and Scotland's national outcomes. The Place Principle will be a key driver for ensuring that planning focuses on our places, and is supported by a much wider range of interests to ensure that proposals and policies are delivered on the ground

We currently expect that NPF4 will focus on achieving four key outcomes:

- Net-Zero Emissions
- A Wellbeing Economy
- Resilient Communities
- Better, Greener Places

NPF4 will also address the following high level outcomes:

- Meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people
- Improving the health and well-being of people living in Scotland
- Increasing the population of rural areas of Scotland
- Improving equality and eliminating discrimination
- Meeting any targets relating to the reduction of emissions of greenhouse gases
- Securing positive effects for biodiversity

Current Local Development Plan 2014

LDP Vision

A Vision for Shetland:

“Work together for a future that is better and brighter. In particular, we aim to create a secure livelihood, look after our stunning environment and care well for our people and our culture.” Shetland Resolution (2004).

Land use planning can assist in achieving the Shetland Resolution by;

- Enhancing existing communities throughout Shetland by encouraging sustainable economic development to create strong, healthy, vibrant communities where diversity is recognised and celebrated, ensuring they are attractive and inclusive places to live.

- Supporting new and existing sustainable economic opportunities, including employment, housing, transport, communications and community facilities.
- Promoting the efficient and sustainable use of natural resources and material assets such as land, water, soil, buildings and infrastructure whilst minimising waste.
- Conserving and promoting Shetland’s historic environment and cultural traditions, recognising their contribution to Shetland’s sustainable economic growth, and the quality of life of its people.
- Furthering the conservation of biodiversity and geodiversity throughout Shetland, including landscapes and seascapes.
- Encouraging new development of good quality that is environmentally sensitive, accessible to all, utilises sustainable design techniques and low carbon or renewable energy technologies.
- Protecting and enhancing areas for recreation.
- Supporting better access across the Islands, in particular supporting sustainable and active transport solutions, such as by foot, cycle and public transport, and enabling people to access services, employment and other opportunities.
- Ensuring policies reflect the Council’s commitment to the Climate Change (Scotland) Act 2009 through encouraging measures to maintain good air quality, reduce carbon emissions and mitigate against or anticipate the effects of global climate change.

LDP Spatial Strategy

The current Plan set out a strategy of delivering sustainable development and to create sustainable, vibrant and mixed communities, where everyone is able to participate and support healthy lifestyles.

The current Plan states that planning decisions should promote development that safeguards and enhances the long-term needs of the economy; society and those living within it; and the protection and enhancement of our natural environment.

“The planning system has a key role to play in delivering sustainable development and the creation of sustainable, vibrant, and mixed communities, where everyone is able to participate and support healthy lifestyles. Planning decisions should promote development that safeguards and enhances the long-term needs of the economy; society and those living within it; and the environment.

To assist sustainable economic growth and support the development of an inclusive society based on Shetland’s dispersed settlement pattern, the Plan identifies allocated land; sites with development potential; and Areas of Best Fit” (Shetland Local Plan 2014).

LDP Objectives

To assist sustainable economic growth and support the development of an inclusive society based on Shetland's dispersed settlement pattern, the current Plan identified allocated land; sites with development potential; and Areas of Best Fit.

Through extensive consultation on the Main Issues Report for the current Plan, Shetland opted for a developer-led allocations based system. Between March 2010 and April 2012, the 'Call for Sites' process invited developers and landowners to submit potential development sites for consideration. Many landowners came forward with their aspirations for development but without detailed plans. Therefore these areas were assessed as 'sites with development potential' and would progress to an allocation status through the Action Programme when more detailed proposals are established.

The Plan's aim was to identify sufficient land throughout Shetland to meet the requirements of the Local Housing Strategy.

In 2004, the Community Planning Board agreed on seven localities for Shetland:

- North Isles
- Whalsay & Skerries
- North Mainland
- West Mainland
- Central
- Lerwick & Bressay
- South

The localities provided a basis for service planning at a local community level. The Areas of Best Fit (AoBF) have been identified to provide a focus for growth within and adjacent to the largest community in each locality and the large islands in Shetland, whilst recognising the dispersed settlement pattern of Shetland.

Within AoBF amenities such as schools, shops, employment and essential infrastructure are all readily available through a range of sustainable transport options; and will support large, medium and small scale developments. AoBF have been identified as desirable for development because they;

- 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 and play park
- No part of any of the Shetland Mainland AoBF 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

Each locality has an AoBF and these were identified as;

1. Baltasound
2. Mid Yell
3. Symbister
4. Brae
5. Aith
6. Scalloway
7. Lerwick
8. Sandwick

Within the current LDP the creation of an AoBF did not preclude development elsewhere nor did it mean that land must be developed. The creation of AoBF is to focus development near to existing services, transport links and facilities, in order to promote sustainable economic growth thus creating strong vibrant communities throughout Shetland, where as many people as possible are able to access services, employment and other opportunities, and lead healthy lifestyles.

Shetland sees a very high percentage of its developments approved at the decision making process, and this can be seen from the percentage of planning applications that are approved in-line with planning policy each year, which (over the period 2014-2019) averaged at a 97.8% approval rate, the lowest year on year figure being 2016-2017 at 96.2% approval of planning matters.

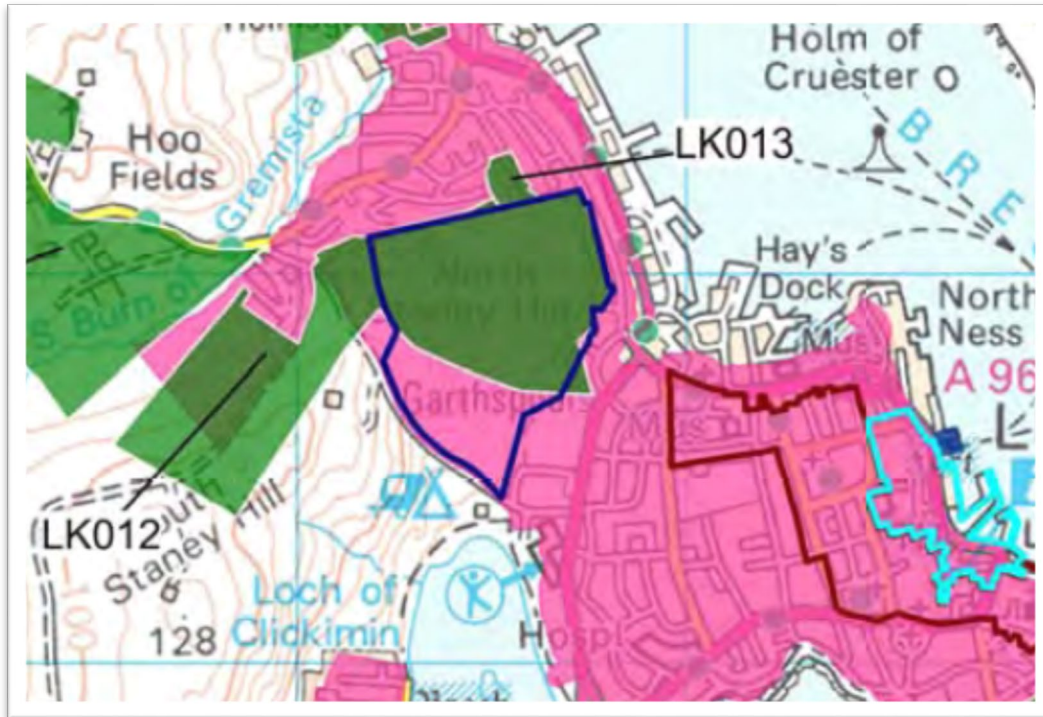
Key successes during lifetime of current LDP

Over the lifetime of the current Local Plan, Shetland has seen many small, medium and large developments, and has seen healthy economic activity. The current LDP has provided a pivotal role in the support and realisation of these important developments, as can be seen from the following selection of key developments - delivered on sites identified within the current LDP as Sites with Development Potential (SwDP).

The current Plan's vision of supporting sustainable development, and to help create sustainable, vibrant, and mixed communities can be seen in the many successful developments across Shetland since the publication of the current Local Development Plan 2014, and will be a continued vision into the next LDP 2.

Anderson High School, Lerwick

Site carried forward from Local Plan (2004) and included within Proposals Map adopted alongside LDP 2014. Site with Development Potential or for Educational Use.



(Proposals Map: Image: Shetland Islands Council – OS Licence number 100024344)

In 2017 the Shetland Islands Council took possession of the new £55.75 million Anderson High School and Hall of Residence. The state-of-the-art school and hall of residence sits next to the Clickimin Loch and was identified within the current Local Development Plan for education purposes (check). These excellent facilities provide a focal point for the Clickimin area and sit sensitively next to the Clickimin Broch. The AHS is used in conjunction with the adjacent Leisure Centre facilities and provides an excellent and modern environment for staff and pupils.

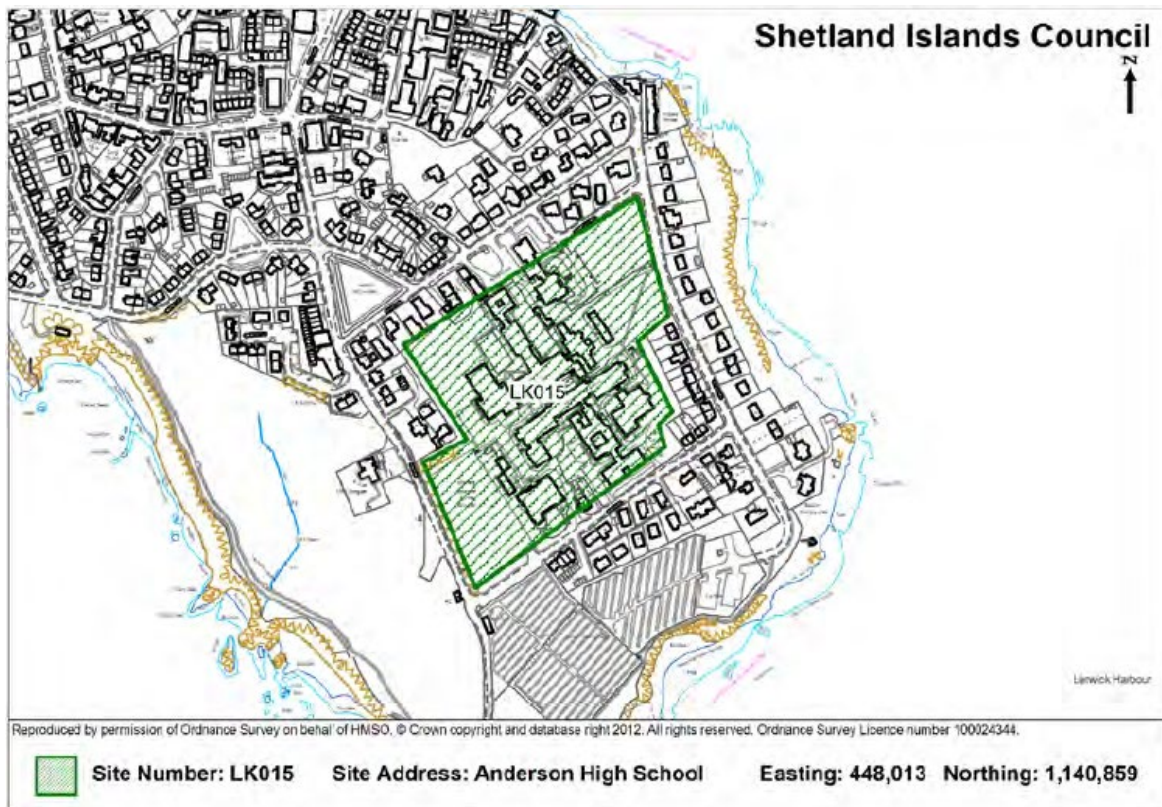
The completion of the new AHS development, releases much-needed brownfield land at the old AHS site at the Knab and will be identified within the next Plan 2 for mixed-use as per the approved Masterplan.



(The new Anderson High School. Image: Hub North Scotland)

Knab Redevelopment, Lerwick

Site with Development Potential – Site No. LK015



The Knab site has been the home of Shetland’s only High School from 1861; following the Council’s decision to relocate the Anderson High School, the existing Knab site was seen as a Site with Development Potential – as identified within the Local Development Plan in 2014. Subsequently a Development Brief was prepared for the site based on a visioning exercise undertaken by Architecture and Design Scotland via a series of engagement workshops. A Masterplan was published for the site in June 2019 by 7N Architects.

A clear direction for the use of the Knab site was highlighted during the consultation stages; to utilise the majority of the site for housing needs, but also to bring back new life to the historic buildings, which will be retained on the site though a range of community initiatives and social enterprises that will benefit the local community, local culture and local businesses.

This is an exciting future development for Shetland, and could see between 120 and 140 much-needed new homes being released, in a range of housing types and tenures. The new Knab site will also see a mixture of uses including:

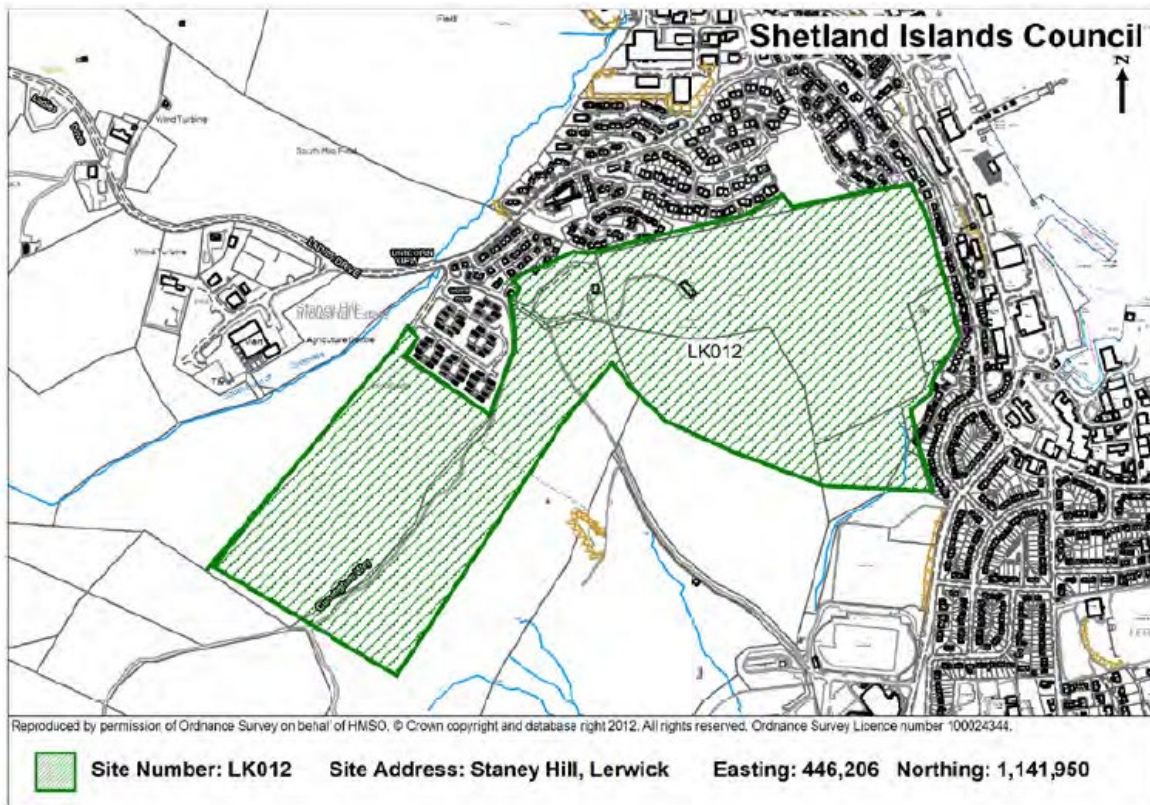
- Small/Start-up business space
- Arts Centre / Innovation Hub
- Hospitality Training / Hotel
- Student / Apprentice Accommodation
- Sports Facilities / Club



(The proposed Knab redevelopment. Image: Shetland Islands Council/7N Architects)

North Staneyhill, Lerwick

Site with Development Potential – Site No. LK012



Hjatland Housing Association Ltd – with the support of the Scottish Government – acquired the north Staneyhill site in 2015. The Association successfully commissioned a Masterplan for the site which was adopted by the Shetland Islands Council as supplementary guidance to its local development plan in March 2018.

The master planning process considered the proposal to build housing on the site and included a very successful community consultation which utilised the Space Standard Tool, with support from Architecture and Design Scotland.

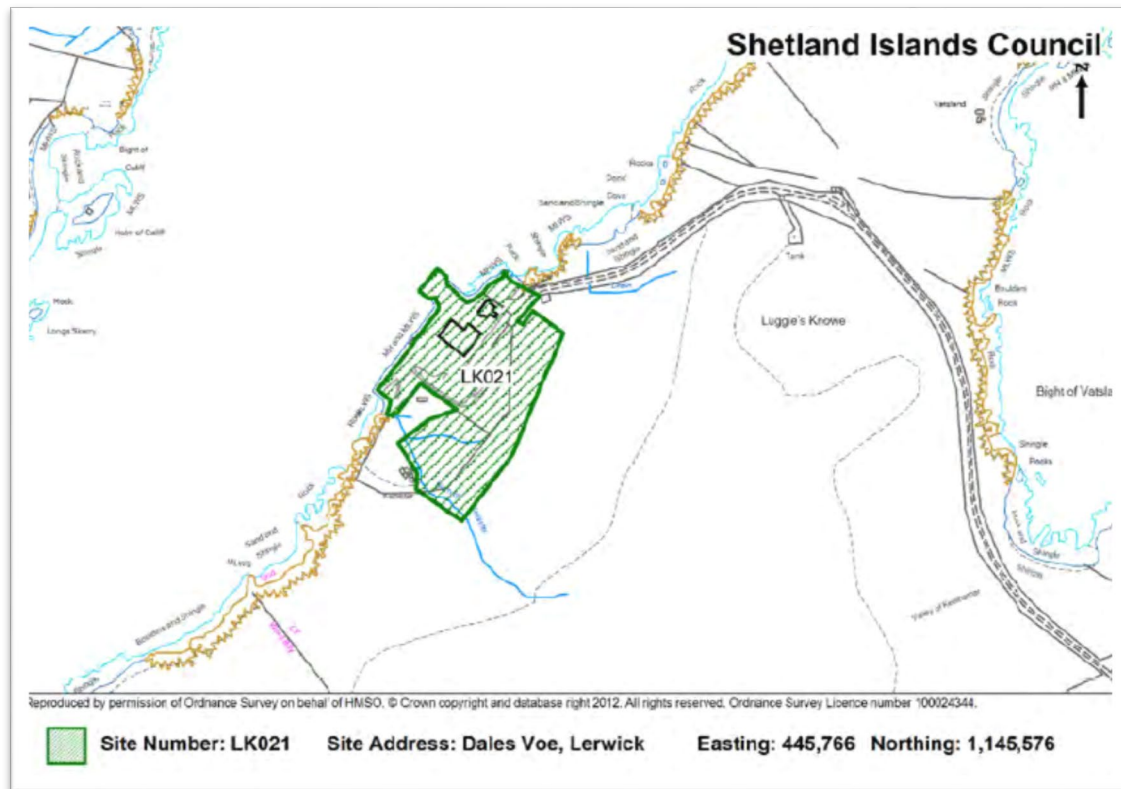
It is envisioned that up to 350 properties will be developed on the site over a period of 10 – 15 years, with the majority of the homes being affordable rental accommodation, but the site will also offer opportunities for those who wish to move into low cost home ownership via shared ownership/shared equity housing and rent-to-buy properties. Plots will also be made available for sale to private individuals able to self-build. Planning permission was granted in 2020 for the first phase of 124 homes/flats as well as associated infrastructure.



(The proposed North Staneyhill development. Image: Hjatland Housing Association/Malcolmson Architects)

Dales Voe, Lerwick

Site with Development Potential – Site No. LK021



In 2017 Shetland saw the UK's first Ultra-Deep Water Port being constructed to service the energy sector, including oil and gas decommissioning and large-scale offshore renewables, including floating wind. This development will position Shetland as a UK centre of excellence for the energy transition – allowing the UK to compete on an international basis for onshore decommissioning projects and develop capabilities for the renewable sector.

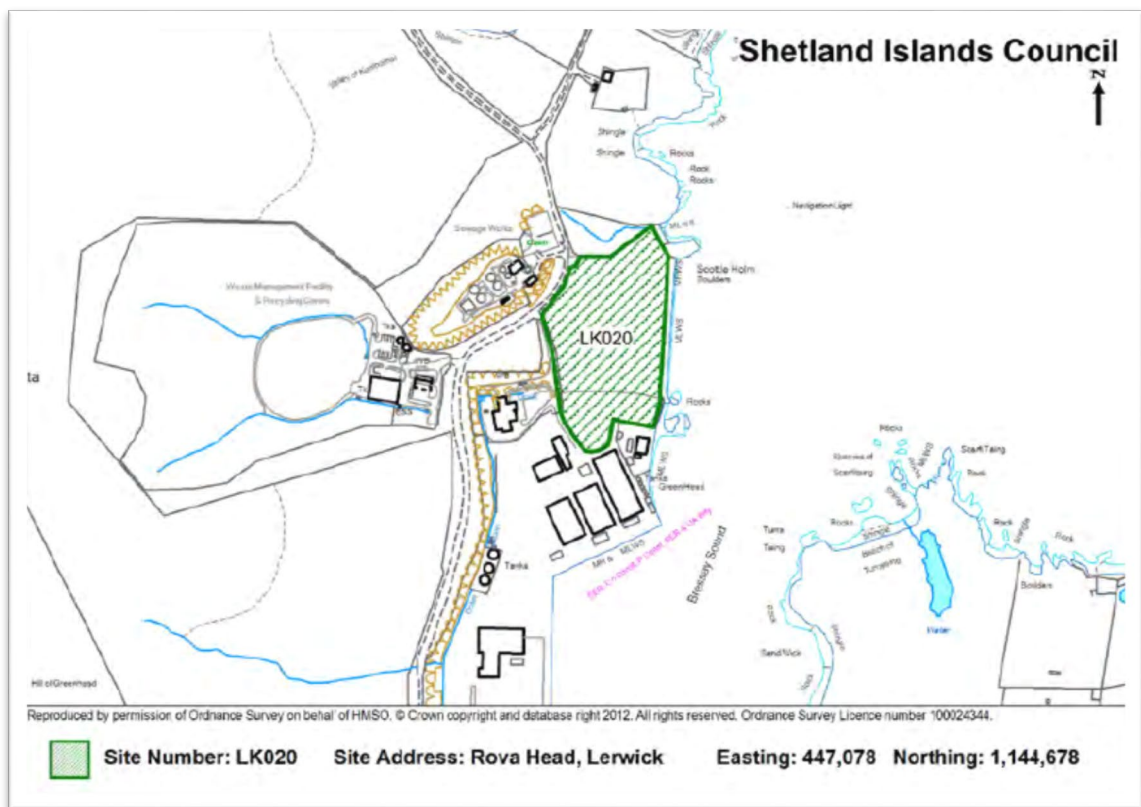
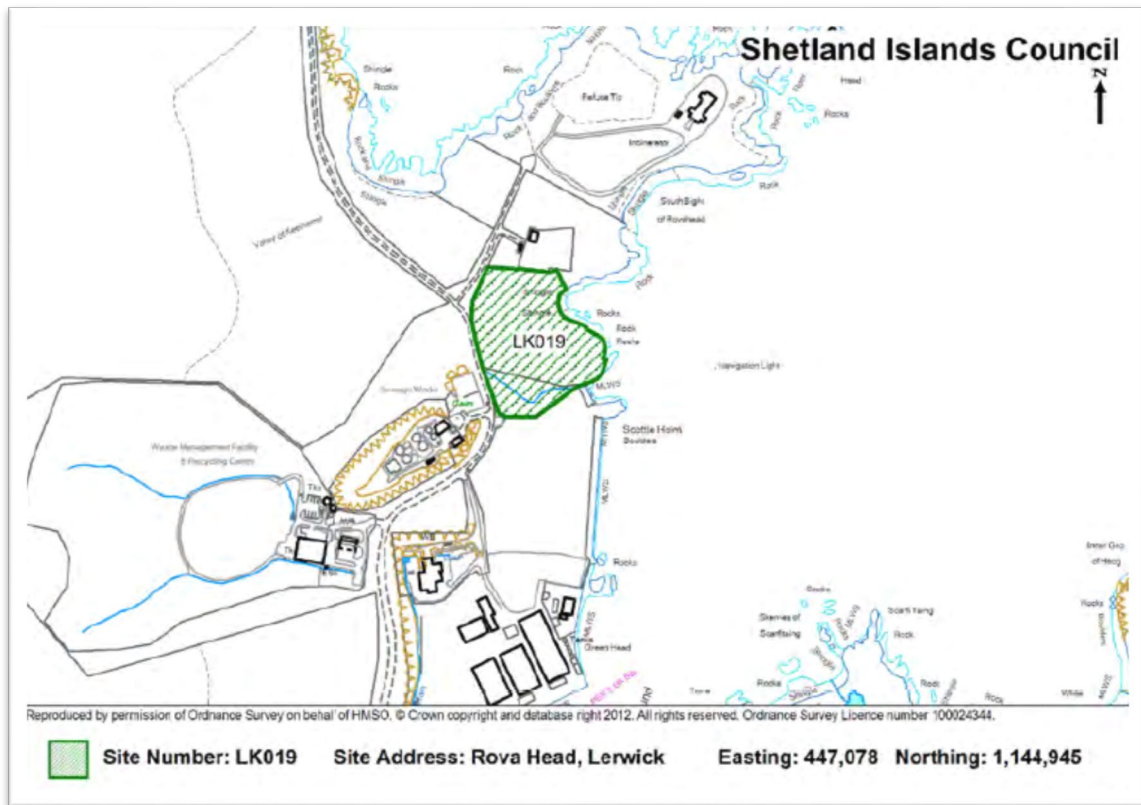
The new ultra-deep quay at the existing decommissioning site will have depths of over 30 metres, allowing the largest heavy lift vessels in the world to berth alongside.



(Dales Voe decommissioning quay. Image: Lerwick Port Authority/Shetland Flyer Aerial Media)

Rova Head Laydown Area, Lerwick

Site with Development Potential – Site No. LK019 & LK020



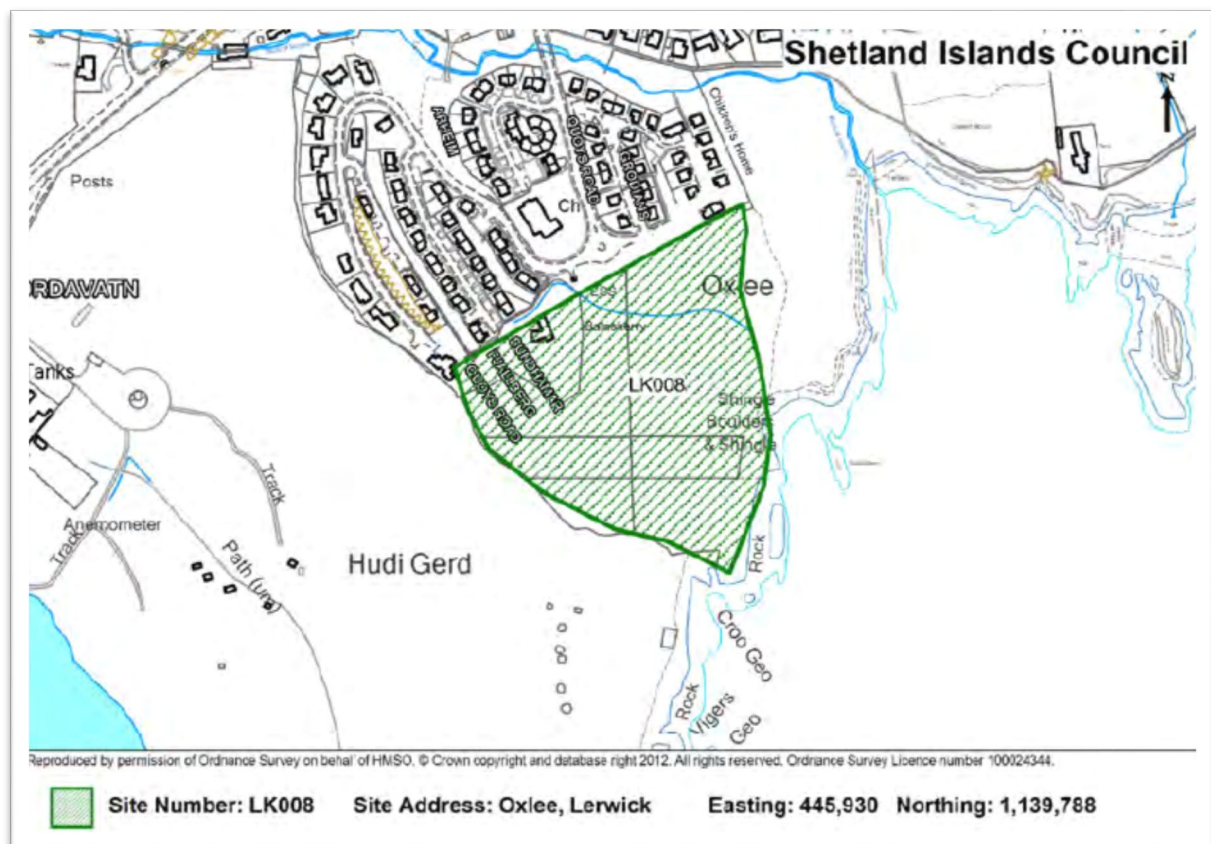
Developed by Lerwick Port Authority, this recently completed laydown area at Rova Head is now ready for many years of heavy industrial activity, and will be an important addition to Shetland's economy.



(Rova Head Industrial Laydown Area. Image: Lerwick Port Authority/Shetland Flyer Aerial Media)

Quoys, Lerwick

Site with Development Potential - Site No. LK008



A successful and award-winning development by Shetland's Hjaltnland Housing Association, was first identified within Local Plan (2004) and the site was brought forward into the next LDP 2014. With the final stages of the overall development being completed into the current LDP 2014. Site LK008 now known as Quoys, was completed after seven years of construction works, with the third and last phase – Grodians – being completed in 2011.

The development provided 130 affordable housing, with privately owned and developed plots at the top of the site, and a privately owned and run Baptist Church at the middle of the site.

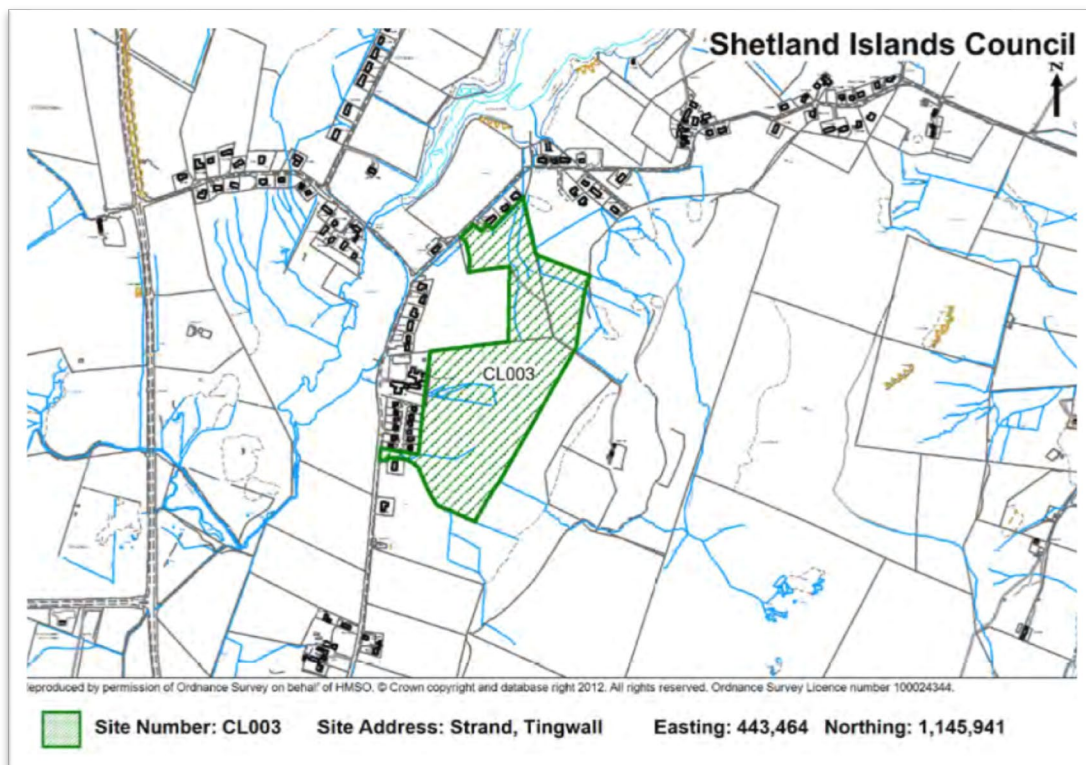
Along with an Inverness Architecture Association Award for Placemaking, and a RIAS award, Richard Gibson Architects also won a commendation at the Saltire Housing Design Awards – Large Scale Housing Development in 2012, for their work designing the third and last phase (lower part) called Grodians.



(Quoy, Lerwick. Image: Hjatland Housing Association)

Stura & Gaet-A-Gott, Tingwall

Site with Development Potential - Site No. CL003



Strand in Tingwall has seen a vast expansion in terms of residential homes over the lifetime of the current LDP. This site is an expansion to existing affordable housing situated along the north Tingwall Valley. In August 2018, Hjatland Housing Association completed 40 affordable houses with its Gaet-A-Gott development and again in November 2019 with another 40 affordable house Stura.



(Top image - Stura. Bottom image - Gaet-A-Gott. Images: Hjatland Housing Association)

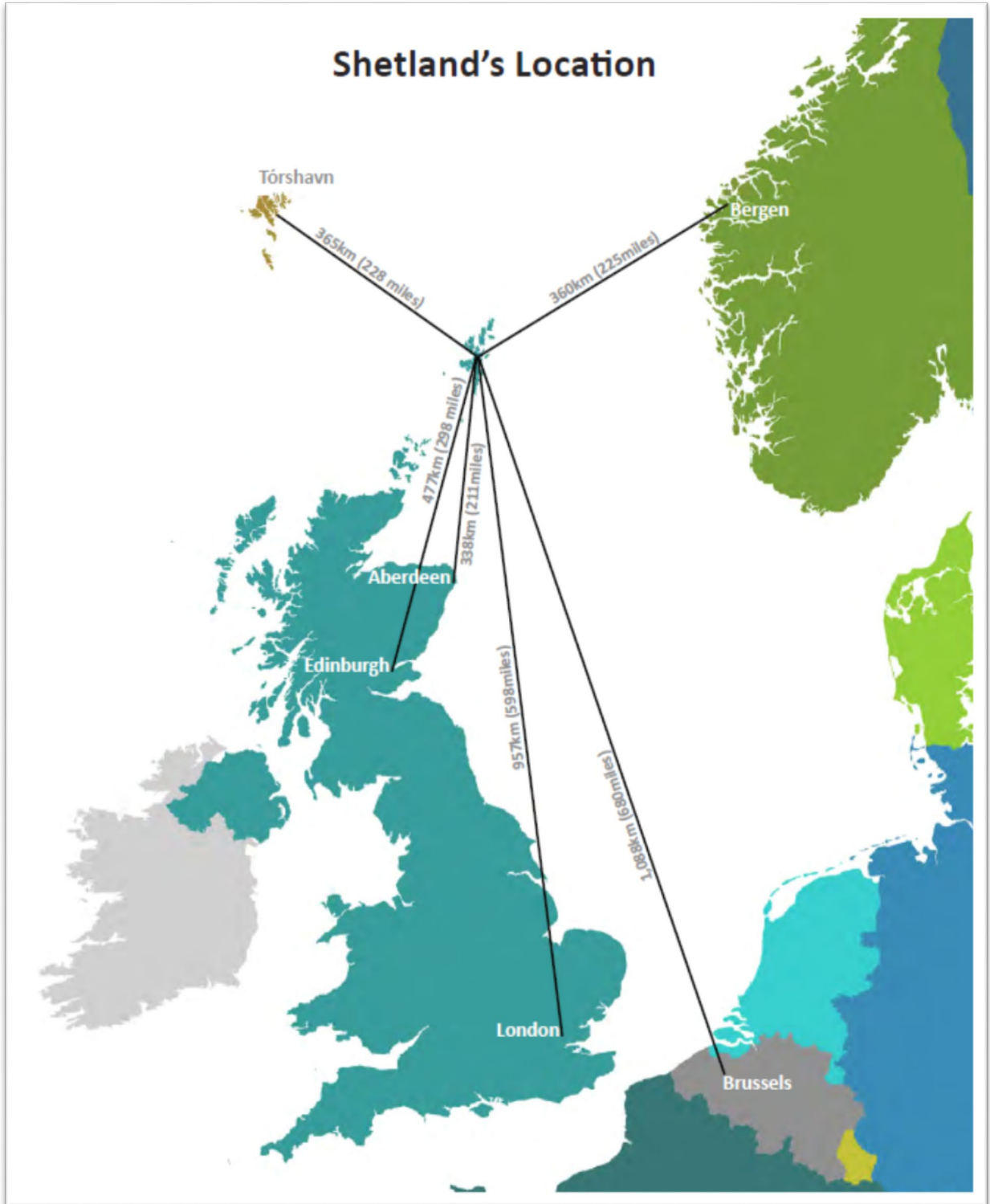
PART 2: CONTEXT

The Shetland Local Development Plan has a key role in the continuing sustainable development of businesses and communities in the local authority area. Understanding the changing physical environment and characteristics of people and households, is possibly the most crucial factor in understanding the ability of the Council to sustain communities, provide services and intervene in the management of land use.

Shetland Today – Physical Characteristics

The archipelago of Shetland lies 225 miles from Bergen to its east and 211 miles from Aberdeen to its south; with approximately 1,697 miles of coastline and over a 100 islands – of which 16 are populated. Lerwick is Shetland's main town and main economic hub, with Scalloway, Brae and Sandwick being Shetland's largest villages, which in turn support housing and business development activity.

Shetland's Location





Population and Human Health

The population of Shetland in 2019 was 22,920, an increase of 0.5% since 2009, with the majority of people living on the Mainland of Shetland. Approximately 40% of the population live in Lerwick, the capital and it is the only settlement larger than 2,000 people. Shetland's population over the next 20 year period (2018-2038) is projected to be roughly static, at around 22,824 at the end of this period. This would give Shetland the second lowest local authority area population in Scotland (with Orkney being the lowest). This is predicted to be balanced by -1.3% in natural population change (deaths vs births) and +1.1% population through net immigration. Shetland has an aging population with the 65 and over age group increasing much faster than the national average (projected percentage increase over the next 25 years as being 60% locally and 53% nationally) and the 16 – 65 and under 16 age groups both shrinking over the last ten years.

The most recent population figures estimate that 20.4% of people living in Shetland are aged 65 or over, which is up from 16% in 2009. This was below the national average in 2009 but is now above it. Shetland's working age demographic is shrinking, with the proportion of working age residents reducing from 64.3% in 2009 to 61.2% in 2019 and net migration having been negative for the last few years (-3.93 per 1,000 residents in 2019). From 2014 to 2039 it is estimated that Shetland's working age population will decrease by 15% (compared to 5% nationally for Scotland), the largest age group decrease in Shetland is projected to be the 0-15 age group, falling 9.2% in the ten year period up to 2028.

The percentage of the population in Shetland aged under 16 has reduced from 19.5% in 2009 to 18.5% in 2019. This is the opposite of the trend nationally where this age group has increased from 17.5% in 2009 to 19% in 2019. The population density of 16 people per sq. km is significantly lower than the Scottish average of 70 people per sq. km.

Shetland's school attendance rate of 94.48% in 2016/2017 placed it in the top 6 of Scotland's 32 local authority areas for attendance over all tiers of mandatory education stages. The proportion of people 16-74 in Shetland with degree level qualification is approximated to be 28%, broadly aligned with the Scotland-wide average of 27%.

In 2020 the most common age group of mothers giving birth in Shetland is the 30 to 34 age group. This indicates a slight aging in childbearing age from the 25-29 age group most common in 2000. There has also been a decrease of 81.2% of birth to mothers under 19 in the 20 year period from 2000 to 2020.

Whereas women outnumbered men by about 150,000 in Scotland in 2011, 50.8% of Shetland's population in 2011 was male. Comparison of population figures between such large national and small local samples must be noted with a degree of caution as the latter is more prone to local level labour market fluctuations. The number of those stated as married or in a civil partnership (and in both cases not stated as separated) between 2001 and 2011 has fallen from 52.54% of the adult (16+ population) to 49.7%. It is also notable that this period reflects a change in legislation (Civil Partnership Act 2004) and that the 2011 figure includes same-sex partnerships, whereas the 2001 figure doesn't.

The number of EEA residents in Shetland roughly parallels the proportionate population of Scotland as a whole (3% or 700 individuals). From the last point at which figures were published by National Records of Scotland as mid-year estimates for 2016, a net gain of 40 individuals was recorded. It is uncertain as to whether EU withdrawal has had an impact on these figures at both a national and local level.

The percentage of single person households in Shetland (32.1%) is slightly lower than that for Scotland (34.7%). Over the period from 2001 to 2019 the number of households in Shetland has risen by 14.8%, just above the Scotland figure of 14.3%. During the ten year period from 2018 to 2028, the total number of households in Shetland is projected to increase from 10,384 to 10,742, a 3.4% increase (Source:

National Records of Scotland). When combined with a projected static population over the same period, the increasing number of households indicates more, smaller households, which will in turn have implications for the availability of, and demand for, certain types of housing stock in particular and contribute to demand as a whole.

While the cost of living is high and fuel poverty is a longstanding issue it is recognised that unemployment levels are low, educational achievement, median income, life expectancy are all above the Scottish average. However, the healthy life expectancy for women is below the national average.

There are also low levels of deprivation with no areas among the 20% most deprived in Scotland, although, this does not mean there are no people experiencing deprivation living in Shetland. Rural and dispersed communities typically have a different pattern of deprivation, where it can exist in all communities and tends not to be clustered in specific areas. The Scottish Government Acknowledges that:

Studies suggest that deprivation is experienced differently between people living in rural and urban parts of the country. The main issues in rural areas include access to services, lack of affordable housing and higher fuel costs.

Scottish Government (2017): *‘Scottish Index of Multiple Deprivation: rural deprivation evidence review’*

The number of households supporting children on out of work benefit claims in Shetland (all combined out of work benefit categories) stood at 140 in 2017. This has fallen from 200 in 2011. There was a slight weighting in these figures towards households containing younger age categories (0-4 and 5-10), which reflects wider trends across Scotland, for which the overall total stood at 85970. Matching claimant count households containing children against overall populations is difficult to accurately calculate, but the number of households in Shetland in the 2011 census stood at 9,950, giving a proportion of roughly 1.4% between these two figures (the comparative Scotland-wide percentage would be 3.6%). Another comparative measure is that Shetland is roughly tracking Orkney’s claimant household rate in this measurement across the study period (both 140 in 2017 and Shetland +20 in 2011).

While these figures could be seen as evidence of falling deprivation, they must be handled with extreme caution. The pandemic and subsequent economic shock may have had disproportionate impact on certain sectors of communities, increasing deprivation levels. Overall figures can also mask pockets of deprivation in areas otherwise experiencing lower levels of deprivation as a population-wide average. Scotland-wide figures do not indicate that any of the data zones located Shetland as being in the 20% most deprived in Scotland. However, this does not necessarily mean that deprivation does not exist in Shetland and isn’t a concern for those impacted within our communities, especially given relatively smaller population sample sizes for Shetland in comparison with other local authority areas.

In 2020 the unemployment rate in Shetland stood at 3.2% (an increase from 1.7% potentially linked to impact of the Covid-19 pandemic), totalling 455 people. This percentage of claimants is lower than those for the Highlands and Islands region (4.9%) and Scotland as a whole (5.9%). Shetland’s youth unemployment rate (6.3%)

is also lower than comparative figures for the Highlands and Islands region (7.8%) and Scotland (8.3%) for the same period.

The largest employment sector in Shetland is agriculture, forestry and fishing (18.8% of all employment), reflecting Shetland's prominent aquaculture, fishing and farming sectors. Wholesale and retail work (10.9%) and human health and social work (14.1%) also contribute large proportions of the region's jobs totals.

There is a comprehensive public ferry service meaning that there is generally good inter-island connectivity. While car ownership in Shetland is one of the highest in the UK Shetland also retains a good bus network. The transport network in Shetland responds well to the Hierarchy of Transport Need despite it necessarily being constrained in its extent by long distances and low population levels.

Shetland is one of only two administrative regions in Scotland with no significant Gaelic heritage and there is a strong Norse heritage with strong traditions in music, crofting and fishing. Shetland Arts venues boast strong attendance numbers, with pre-pandemic figures (2019/2020) stating total audience figures of 185,636 (including 1,300 online). These figures are led by 117,824 attending Mareel Cinema and Performance Venue, among other activities including 2236 screenings across the year. 193 Arts & Wellbeing sessions were conducted and 161 concerts and events performed.

Economic

Shetland's location is an intrinsic part of its economic success, as the islands are surrounded by some of the richest fishing grounds in the world, and the islands topography creates voes and inlets which are ideal for the development of aquaculture.

Also on Shetland's doorstep are abundant oil and gas reserves – decades of extraction activity have seen these reserves decline, but have also led to years of productive economic activity and investment, and new developments continue to provide benefits and opportunities.

Economic activity in Shetland is very strong, with high employment and a productive business base. School leavers overwhelmingly go into positive destinations such as employment, training and higher/further education, and many employers are fully engaged in developing their workforce through training and apprenticeships. (Source: SIC Economic Development Strategy 2018-2022)

Shetland's unique local heritage is the foundation for a thriving arts and culture scene, with world renowned music, film and literature festivals, while the name 'Shetland' has become a marker of quality for those exporting food and crafts. The high cost of living continues to climb as prices increase while most wages remain static, and public services continue to experience reducing budgets, leading to hard choices over spending.

An ageing population will not only put pressure on local services but risks depleting the local labour market. The lack of available labour is a huge problem for achieving

economic growth in Shetland, with some sectors—including construction, food and drink, healthcare and education—reporting considerable difficulties in recruiting staff, and many communities struggle to retain their population and face an uncertain future. (Source: SIC Economic Development Strategy 2018-2022)

Housing

Scottish Planning Policy requires planning authorities to identify a generous supply of land for housing and to plan for a 20 year period. The evidence base for calculating how much land we need for housing is set out in the Housing Need and Demand Assessment (HNDA). Shetland’s HNDA is currently in draft form and is awaiting a Robust and Credible status from the Scottish Government. Therefore, all figures are subject to change and the final housing numbers presented in the next LDP2 may change to reflect this.

The draft HNDA identifies a need and demand for an average of a total of 896 units between 2021 and 2040. However this need is not evenly distributed throughout this term. It is concentrated in the first 5 years, to allow for existing housing need to be met. Therefore, 146 units are required per year between 2021 and 2025, reducing thereafter. This makes provision of effective land for housing in the first 5 years key to addressing housing need. Shetland is divided into 6 Housing Market Areas (HMAs), and a demand figures for each HMA has been calculated.

HMA	2021-2025	2026-2030	2031 -2035	2036-2040	TOTAL
North Isles	61	23	2	-6	80
North Mainland	73	28	3	-8	97
Central Mainland	100	30	3	-8	124
West Mainland	32	17	2	-5	46
Lerwick and Bressay	372	66	7	-18	427
South Mainland	91	37	4	-10	122
SHETLAND	729	201	21	-55	902

(Table 1 - Source: Draft HNDA 2021-2040)

The figures shown in **Table 1** above have informed the number and housing capacity of preferred sites in this Main Issues Report. In the next few months, it is hoped that the Draft HNDA will achieve Robust and Credible Status and we will have more certainty on the housing demand numbers. Once confirmed, this evidence, along with feedback from the MIR consultation and further consideration of local circumstances and needs, will be used to inform the finalised totals and site selection for LDP2.

Windfall Development

LDP2 will have a central role to play in providing certainty about where development will and will not take place. This will help us safeguard strategic land for future development and prevent sterilisation of key sites/areas.

We currently have a high level of unplanned ‘windfall’ development happening where planning applications come forward for sites not identified in the current LDP. Over the last 5 years, more than 50% of housing approvals, and 60% of business and industry approvals, have been for windfall sites.

We are aiming to reduce the level of windfall development and encourage new developments to be sited on allocated sites or within our preferred areas of growth (See Part 7: Our Next Local Development Plan 2) in order to promote a more planned approach to new development and infrastructure investment. This will allow us to assess the impacts of new development on our schools, transport, health care and community facilities so that improvements/investment can be planned for.

Good planning for infrastructure increases certainty, can create efficiencies, reduce costs and help to manage the phasing of development.

We are however aware that windfall housing is an established delivery mechanism for housing in our more rural areas where the historic build pattern has been for single houses. It is expected that Windfall development will continue to be an important delivery solution on our next plan, however, this can only be allowed in the right place and therefore the hierarchy of development is an important consideration.

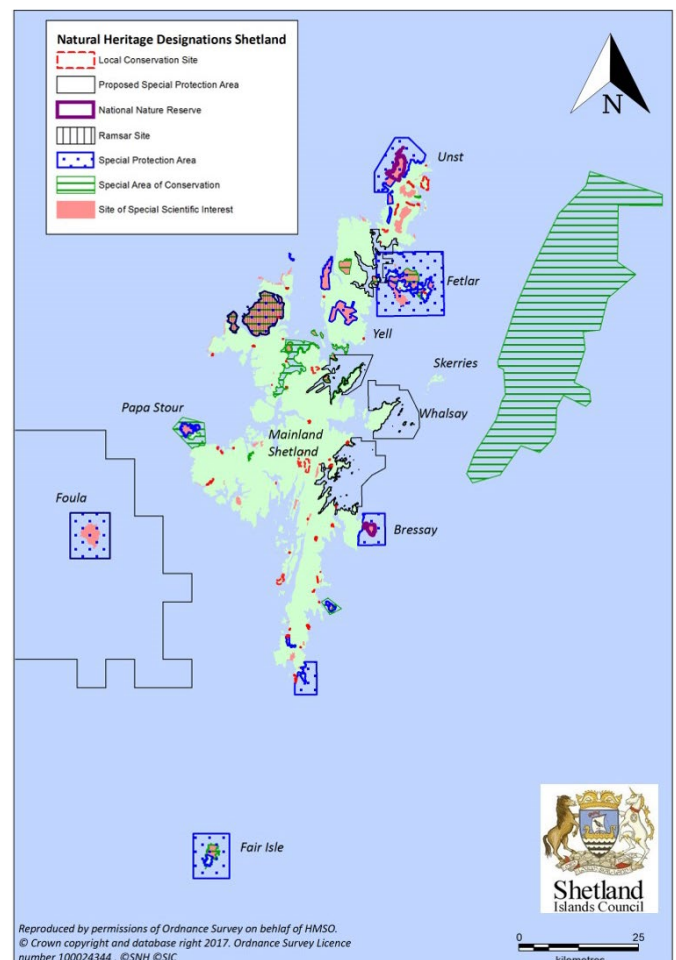
Environmental Safeguarding

Shetland enjoys a hugely diverse and rich natural environment, with its seabirds and sea mammals playing a relatively dominant part in the biodiversity of the islands. Shetland is home to one tenth of the total seabird population of Britain, and the waters around Shetland are home to a diverse range of fish, shellfish and mammals. Shetland is also important for its peatland and the number of breeding waders and other ground nesting birds.

The following information is taken from the Strategic Environmental Assessment Baseline data and can be read fully at [\(insert hyperlink\)](#)

Protected Areas

Protected areas represent the very best of Scotland's landscapes, plants and animals, rocks, fossils and landforms. Their protection and management will help to ensure that they remain in good health



for all to enjoy, both now and for future generations. Many areas of Shetland are designated to meet the needs of international directives and treaties, national legislation and policies as well as more local needs and interests.

Table 2 indicates the range of statutory and non-statutory sites designated within Shetland including international, national, and local designations (shown on Figure 1). It should be noted, however, many sites have multiple designations, while others overlap and their total areas may include marine and / or terrestrial habitats. Therefore the total areas designated can't be added together to provide a total. (SEA Baseline 2021)

Table 2 – Designated Sites in Shetland

Designation	Number of Sites	Total Area Covered in Hectares
Special Protection Areas	15	423,733
Special Areas of Conservation	12	15,345*
Ramsar Wetlands of International Importance	1	5,470
Sites of Special Scientific Interest	78	19,931
National Nature Reserves	2	1,322
Marine Protected Areas	3	38,897
Marine Consultation Areas	4	540
Seal Haul-out Sites	43	15,133
Local Nature Conservation Sites	49	1,264
Local Geodiversity Sites	0	-

*This does not include Pobie Bank Reef which is marine SAC that lies partly within Shetland inshore waters.

Special Protected Areas (SPA)

There are 15 SPAs in Shetland, including three marine SPAs that were officially designated on the 3rd December 2020. Over 50% of the qualifying features are in unfavourable condition with the most common reason being fisheries management.

Three new marine SPAs were formally designated in December 2020, as these are important foraging areas of birds breeding in Shetland they have been included in the baseline as they could be impacted by LDP2.

Special Areas of Conservation (SAC)

SACs are designated under the EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, known as the Habitats Directive. Article 3 of the Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the Directive (as amended). The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds). In the UK, sites are protected under The Conservation (Natural Habitats, &c.) Regulations 1994, due to the presence of one or more habitats or species listed in the Directive and management plans are written to ensure 'favourable conservation status.'

There are 12 SACs in Shetland and are mainly designated for upland habitat or marine interest and over 80% of designated features are in favourable condition. The most commonly identified pressure on the interest feature is over-grazing.

Ramsar Convention

Shetland is home to one site that has been designated under the '*Convention on Wetlands and Waders of International Importance*' signed in 1971 in Ramsar, Iran. The designation recognises the fundamental ecological functions of this area as well as its economic, cultural, scientific, and recreational value. Under the Convention wetland is defined as:

"Areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, or brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres. [wetlands] may incorporate riparian and coastal zones adjacent to wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands"

The condition of the site has been designated as unfavourable, due to natural pressures, over-grazing and trampling.

National Designations

National designations cover a range of different types of protected area, including Natural Nature Reserves (NNR) and Sites of Special Scientific Interest (SSSI), both of which are located within the Shetland. Shetland is also home to a number of non-statutory protected sites, such as Local Nature Conservation Sites.

National Nature Reserve (NNR)

NNRs are statutory nature reserves designed under Part III of the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981.

They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats, communities and species represented within them. People are encouraged to enjoy NNRs and so many have some form of visitor facilities that are designed to ensure recreational activities are not pursued without heed for the wildlife and habitat that exists there. There are 2 NNRs in Shetland – the entire island of Noss to the east of Bressay, and Hermaness at the north of Unst. These two NNR's hold two of Britain's largest seabird colonies. Both these sites are also designated as SPAs and SSSIs.

Sites of Special Scientific Interest (SSSI)

SSSIs are designated under the Wildlife and Countryside Act (1981) as amended by the Nature Conservation (Scotland) Act 2004. Sites are designated due to the presence of important flora, fauna or geological features (or a combination of these features), many are also designated as European sites.

There are 78 SSSIs in Shetland covering nearly 14% of the land area, with just over 50% of sites are designated for geological or geomorphological reasons. There are various pressures on SSSIs including invasive species, water management and inter specific competition but the most common is over grazing. Overall just over 60% of SSSIs are in favourable or recovering condition while just over a third are in unfavourable condition. The remainder have at least one interest feature in unfavourable condition. Of the features in unfavourable condition the vast majority (> 75%) are birds, the bulk of which are seabird interest features

Marine Protected Areas (MPAs)

MPAs are recognised globally as one way to support our marine environment. A well-managed network of MPAs will protect important marine habitats and species, deliver benefits for our marine environments, support coastal communities, help sustain marine industries, and provide for recreational uses. Developing a network of MPAs in Scotland is part of a wider strategy to achieve the Government's commitment to a 'clean, healthy, safe, productive and biologically diverse marine and coastal environment that meets the long term needs of people and nature'.

These areas are designated under the Marine (Scotland) Act 2010. There are two Nature Conservation MPAs in Shetland designated to conserve important marine, wildlife, habitats and geodiversity and a Demonstration and Research MPA around Fair Isle designated for the purposes of both demonstration of sustainable methods of marine management or exploitation and research into such matters. At the current time this is the only Demonstration and Research MPA in Scottish waters.

Shetland also currently has 4 Marine Consultation Areas (MCAs); these are areas identified by NatureScot as deserving particular distinction in respect of the quality and sensitivity of the marine environment within them. Their selection encourages coastal communities and management bodies to be aware of marine conservation issues in the area.

Local Nature Conservation Sites (LNCS)

LNCS are non-statutory sites, identified by Shetlands Islands Council as having biodiversity and / or geodiversity features of interest significant at a Shetland level. LNCS are not statutory designations but receive protection through planning policy, with another 4 sites that have been surveyed and recorded as important but not yet formally adopted. They help to highlight sites with important natural heritage to developers and the Council. There are currently 49 LNCS in Shetland they were adopted as Supplementary Guidance to the first LDP in 2015.

At the time of selection all sites were considered to be in favourable condition. When site documentation was completed in 2016 part of this process included an updated assessment of site condition – either favourable or unfavourable. Monitoring of sites commenced in 2017 and continued through 2018 and 2019. Six (12.2%) of the 49 LNCS are in unfavourable condition, while the rest are in favourable condition key features at 8 of them are in unfavourable condition.

Although not strictly designated sites there are a number of RSPB Scotland Nature Reserves in Shetland including 4 public sites; Sumburgh Head, Mousa, Fetlar and Loch of Spiggie. All of the reserves are known for their outstanding bird life, specifically; Sumburgh Head for its seabird colonies, Mousa for its Storm Petrels, Fetlar for the Red necked phalarope and Loch of Spiggie for Whooper Swans. RSPB Scotland also has a number of private management agreements on undesignated sites for conservation management of the land.

Waste management and recycling

Recycling in Shetland is limited by its remote location. A kerbside recycling scheme was introduced in 2018 with waste collection moving from weekly to fortnightly. The scheme allows residents to recycle paper, cardboard, cans, some plastics and cartons at the kerbside. Households wishing to recycle glass can do so at central recycling points, although SIC have provided storage bags to assist households achieve this.

At present much of the waste for landfill is diverted to other sources, including fuel for the District Heating system in Lerwick. Any materials for recycling in Shetland have to be transported to mainland Scotland by boat and onwards by road, the environmental and financial costs of which are high, however, these are still lower than the alternatives.

The recycling rate in Shetland has increased significantly since the introduction of kerbside recycling, however, it is still the lowest in the country. Yet there is a much lower percentage of waste going to landfill than other areas due to the District Heating Scheme. The amount of waste generated overall has increased and the proportion of the waste recycled has decreased.

Zero Waste Scotland’s recent technical report on “The climate change impacts of burning municipal waste in Scotland” notes that the Shetland Energy Recovery Plant is the only heat-only plant in Scotland, and has a considerably lower impact than the other Energy from Waste plants because it operates at a higher energy efficiency”.

Table 3 – Household Waste

Year	Area	Generated (Tonnes)	Recycled (%)	Other Diversion from landfill	Landfilled (%)	Carbon Impact (TCO _{2e} per person)
2017	Shetland	9,996	7.9	69.6	22.6	Unknown
	Scotland	2,498,981	45.2	9.5	45.3	Unknown
2018	Shetland	9,649	10.5	67.1	22.3	1.35
	Scotland	2,405,246	44.7	12.4	49.9	1.06
2019	Shetland	9,648	17.1	63.1	19.8	1.28
	Scotland	2,421,790	44.9	23.8	31.3	1.04

Source: <https://www.sepa.org.uk/environment/waste/waste-data/waste-data-reporting/waste-data-for-scotland/>

Air quality

Air pollution results from the introduction of a range of substances into the atmosphere from a wide variety of sources, including industry, transport and power generation. Even domestic activities such as driving, heating and cooking contribute, as do natural sources like sea salt, wildfires, volcanic activity, soil erosion and farming (Scottish Government, 2015). Poor air quality poses significant risks to the environment and / or human health. However, air quality in Shetland is generally good in terms of national air quality objectives and there are no significant air quality issues. There are no Air Quality Management Areas in Shetland. (Source: SEA Baseline 2021)

The main industrial area in the islands is the Gremista and Green Head Industrial Estate to the north of Lerwick. There is a high concentration of regulated activity in this area including a landfill site, energy recovery plant and an oil-fired power station. The Sullom Voe oil terminal handles around 25 million tonnes of oil each year and also contains a power station that supplies some of the island’s electricity. Other industrial processes include quarrying, mineral processes and fish processing activities. The SIC does not undertake any automatic (continuous) monitoring within the authority’s area. This is due to past monitoring results indicating that concentrations were all below the national objectives, thus negating the need for further monitoring.

Nor does SIC undertake any non-automatic (passive) monitoring of NO₂ within the authority's area. This is due to past monitoring results indicating that concentrations were all below the national objectives, thus negating the need for further monitoring (Source: SEA Baseline 2021)

Table 4 – Air Pollution sources in Shetland

Source	Description
Road Traffic	Traffic density is very low in comparison to motorway and city traffic. There are very few roads and junctions where traffic is in excess of 5,000 and 10,000 vehicles per day.
Other Transport	There are air and seaports but no trains in Shetland. The main airport is Sumburgh and the main seaports are Lerwick, Scalloway and Sullom Voe.
Industrial	The key industry sectors in Shetland are Fisheries, Oil Production Operations and Agriculture. A (small) major fuel storage depot is located in Lerwick.

Source: Local Air Quality Monitoring Report, Shetland Islands Council 2014

Climate Change

Action to mitigate against climate change is a key component of the Scottish Government's aim to create a growing, sustainable and inclusive economy. The Climate Change (Scotland) Act 2019 set world-leading emissions reduction targets, including a binding target to reduce emissions by 80% by 2050. All public bodies in Scotland, including the Shetland Islands Council, are legally required to help deliver these targets.

The Scottish Parliament also passed the Climate Change (Emissions Reduction Targets) (Scotland) Bill, which sets more challenging emissions reduction targets, namely:

- a 56% reduction by 2020 against a 1990 baseline; and
- a legally binding, net-zero target for all greenhouse gases by 2045.

To help achieve the Scottish Government's net-zero targets, the next Local Development Plan 2 must work together with the Scottish Government to introduce local-level policies that encourage walking, cycling, or low emission and sustainable placemaking.

Greenhouse Gas Emissions

Climate change is a global issue with a strong global consensus that greenhouse gases (GHG) must be reduced in order to avoid significant adverse effects. The

Scottish Government is in the process of transitioning to a net-zero emissions Scotland. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 introduced a statutory target to reduce Scotland's greenhouse gas emissions net-zero by 2045 at the latest. With interim targets for reduction of at least 75% lower than baseline by 2030 also set.

Carbon dioxide in the atmosphere is the main driver of anthropomorphic climate change and the current global average of 409.8 parts per million (ppm) is significantly higher than at any point in the last 800,000 years.

In recent years, increasing emphasis has been placed on the role of regional bodies and local government in contributing to energy efficiency improvements, and hence reductions in carbon dioxide emissions. Scottish Ministers set year on year targets to facilitate a year on year reduction. The Shetland Islands Council (SIC) Corporate Plan sets a target of preparing and implementing a council net zero plan and to lead the preparation of a Shetland net zero strategy by 2026.

Carbon Dioxide (CO₂) emissions per capita (tonnes) for Shetland in 2018 is estimated to be nearly double that for of Scotland – 10.0 for Shetland compared to 5.5 for Scotland. Emissions for both Scotland and Shetland have decreased by around 36 % since 2005 so there is no closure of the gap between them. (Source: SEA Baseline data 2021)

PART 3: KEY POLICY CHANGES SINCE PLAN ADOPTION

Planning legislation requires Planning Authorities to take account of National policies when preparing Local Development Plans, most notably the directions and outcomes identified within the National Planning Framework and Scottish Planning Policy.

Policies within the next Local Development Plan 2 should reflect and support key changes and outcomes at national and local levels. The following are some key policy changes since the current plan was adopted in 2014.

Planning (Scotland) Act 2019

The Planning (Scotland) Act 2019 was passed by the Scottish Parliament in June 2019. This will determine the future structure of the modernised planning system. The detail of how the new Act's provisions will work in practice will be contained within secondary legislation and guidance, which is currently in the process of being developed and implemented.

The preparation of the new National Planning Framework 4 (NPF4) is a crucial element of the planning reforms. NPF4 will set out a new plan for Scotland in 2050. It will replace the current National Planning Framework 3 and Scottish Planning Policy for the first time addressing Scotland's national spatial and thematic planning policies in one place.

National Planning Framework (NPF) and emerging NPF 4

The National Planning Framework is a long-term strategy for Scotland and is the spatial expression of the Government's Economic Strategy, and for the Scottish Government's plans for development and investment in infrastructure.

Any Local Development Plan must have regard to the NPF, and Scottish Ministers expect planning decisions to support its delivery. The evidence gathering (Call for Ideas) has now been published (July 2020) for the preparation of the National Planning Framework 4. The NPF4 will look very different to the current NPF 3, with a longer time-horizon, fuller regional coverage, and improved alignment with wider programmes and strategies.

Importantly the NPF4 will incorporate for the first time, the policies contained within Scottish Planning Policy (SPP) and will take on enhanced status as part of the statutory development plan.

National Planning Framework 3 Vision:

- A successful, sustainable place
- A low carbon place
- A natural, resilient place
- A connected place

Scottish Planning Policy (SPP)

The Scottish Government expects Local Plan policy to address key national targets, strategies and policies contained within the NPF and Scottish Planning Policy (SPP). SPP sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land.

SPP sets out the requirement for Development Plans in order to promote consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.

Summary of policy:

- Sustainable development is a core value of the planning system.
- The 'Principles for Sustainable Land Use' as set out in the Land Use Strategy, when taking significant decisions affecting the use of land.
- Development Plans must be produced by local authorities with the objective of contributing to sustainable development as per the Brundtland Definition / Our Common Future / The World Commission on Environment and Development, 1987.
- Promotion of sustainable economic growth (new jobs and strengthening our community's capacity and resilience)
- Promote sustainable communities and low carbon communities

Shetland Islands Council Corporate Plan 2021 – 2026

The plan provides strategic political direction to help Shetland Islands Council focus on the things that can help most to create opportunities and achieve long term sustainability for Shetland.

The vision statement for Shetland as set out in the corporate plan is “Our Ambition 2021-2026’ is based on a vision of working together to create a positive, confident and sustainable future for Shetland. A Shetland where the community’s opportunities attract people of all ages to live, work, study and invest in our islands.”

The plan sets out an ambitious set of priorities for the council over the next 5 years set out across 10 key themes

- Shetland’s Population Balance
- Covid-19 – Recovery and Renewal
- UK Withdrawal from the European Union
- Climate Change
- Sustaining Current Jobs and Creating New Ones
- Skills and Learning
- Digital Connectivity
- Caring for Our Community
- Fairer Shetland
- Transport.

Shetland’s Partnership Plan 2018 - 2028

The Partnership Plan is the ‘Local Outcomes Improvement Plan’ for Shetland, a statutory requirement under the Community Empowerment (Scotland) act 2015. The plan is for all partners and communities in Shetland.

The shared vision of the Shetland Partnership Plan is that “Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges”. With a key focus of the plan to reduce inequality of outcomes in Shetland.

The shared priorities of the plan are;

- Participation – people participate and influence decisions on services and use of resources.
- People – individuals and families thrive and reach their full potential.
- Place – Shetland is an attractive place to live, work, study and invest.
- Money – all households can afford to have a good standard of living.

Shetland Islands Regional Marine Plan

LDP2 will align with the Shetland Islands Regional Marine Plan which aims to ensure that use of the marine and coastal environment of Shetland is sustainable. This is due to be the first marine plan in Scotland and is expected to be adopted by the end of 2021.

Key background information:

- National Planning Framework 3
- Scottish Planning Policy
- SEA Draft Environmental Report
- The Local Housing Strategy
- The Housing Need and Demand Assessment
- The Housing Land Audit
- The Employment Land Audit
- Shetland Island's Corporate Plan – Our Ambition – 2021-26
- Shetland Partnership Plan 2018-2028
- The National Islands Plan 2018-2028
- Shetland Islands Council Economic Development Strategy 2018 – 2022
- The Place Standard 2017
- Shetland's Islands with Small Populations - Locality Plan (Draft 2020)
- Update to the Climate Change Plan 2018-2032 – Securing a Green Recovery on a Path to Net Zero
- Shetland Placemaking Guidance
- Scotland's Biodiversity: a route map to 2020.
- Scotland's Environment Strategy (2020).
- Protecting Scotland's Future: the Government's Programme for Scotland 2019-20
- Historic Environment Scotland Policy Statement June 2016: key principles

PART 4: LDP REVIEW

Current Local Development Plan Performance

Overall the current LDP is largely still guiding development satisfactorily across all of Shetland's communities across all sectors, as can be seen by the high number of approvals and the low number of refusals and subsequent appeals.

Key pieces of infrastructure and developments have been delivered during the lifetime of the current Plan, as highlighted in Part 1 of this Statement.

Shetland sees a very high percentage of its developments approved at the decision making level, and this can be seen from the percentage of planning applications that are approved in-line with planning policy each year, which (over the period 2014-

2019) averaged at a 97.8% approval rate, the lowest year on year figure being 2016-2017 at 96.2% approval of planning matters.

In terms of residential development, the Plan's performance within sites identified as Areas of Best Fit and Sites with Development Potential, has experienced some success. Success can also be seen in terms of the number of unplanned developments - known as Windfall development – reducing from historical highs of over 70%, to the current 46%.

Applications in Statistics

The total sample of planning matters (including Listed Building Consent Applications, Marine Planning Matters and Works Licencing applications) totals 1650, of which 22 comprised withdrawn applications (giving a total of 1628 determined planning matters). There were a total of 123 marine planning applications and 29 works licencing applications, leaving a total of 1476 terrestrial planning matters.

Of that number, 139 were planning matters categorised as departures from the Local Development Plan. These are planning matters where the proposed development was seen to be contrary to the policies within the Local Development Plan.

Of these applications 103 departures were approved and 26 refused at the point of initial decision making. With 7 upheld at appeal by Local Review Body, this gives a total of 110 approved departures from the Local Development Plan.

In respect of matters going before Local Review Body, 12 applications contrary to the LDP were considered, with 5 being dismissed (or refused at this level) and 7 appeals being upheld (or in other words approved).

Of the total 139 departures from the Local Development Plan, 90 were for terrestrial planning matters (the primary focus of the LDP) and 48 for marine applications. None of the marine applications were refused, therefore this can be removed from the above totals to give 62 terrestrial departures approved and 26 refused. The percentage approval rate for terrestrial departures is 69%.

Residential Development

Over the current Plan period, 882 planning applications were submitted for new residential buildings. The applications can be broken down as follows:

Areas of Best Fit

Areas of Best Fit (AoBF) had been identified to provide a focus for growth within and adjacent to the largest community in each locality and the large islands in Shetland, whilst recognising the dispersed settlement pattern of Shetland.

Within AoBF amenities such as schools, shops, employment and essential infrastructure are all readily available through a range of sustainable transport options; and will support large, medium and small scale developments. AoBF have been identified as desirable for development because they;

Each locality has an AoBF and these were identified as;

1. Baltasound
2. Mid Yell
3. Symbister
4. Brae
5. Aith
6. Scalloway
7. Lerwick
8. Sandwick

AoBF In Statistics

Between the periods of October 2012 – March 2020 there were 881 planning application approvals in total, of which 258 were approved within the Local Development Plan's Areas of Best Fit. Therefore only 29% of all approvals fell within locations identified as Areas of Best Fit.

Sites with Development Potential

Within the current LDP 2014, 97 sites were assessed and added as Sites with Development Potential. These sites were identified as being potentially suitable for either residential or industrial developments, subject to planning application assessment and approval.

SwDP In Statistics

Between the periods of October 2012 – March 2020 there were 881 planning application approvals in total, of which 228 were approved within the Local Development Plan's Sites with Development Potential. Therefore only 25% of all application approvals were on sites identified within the LDP as Sites with Development Potential.

Windfall Development

Windfall – or unplanned developments - is an important housing delivery mechanism for Shetland, and whilst LDP2's Call for Sites hopes to reduce windfall developments, it is likely to continue to be a key delivery solution going into the next LDP2. Please refer to Part 7: The Next Local Development Plan for more information.

Windfall In Statistics

Between the periods of October 2012 – March 2020 there were 881 planning application approvals in total, of which 412 were classed as Windfall developments and were approved outside an Area of Best Fit or Site with Development Potential. Therefore 46% of all approvals were not planned and were classed as Windfall.

Relevance of the current LDP policies and Supplementary Guidance

Policy monitoring, analysis, and review, are a major part of producing a Monitoring Statement, and is at the heart of the evidence base that feeds into our next Local Development Plan. It is also a mechanism that enables us to identify any emerging issues that should be addressed within our next Plan. These main issues are addressed in detail within the accompanying Main Issues Report (MIR) and lay out our preferred options and alternative options.

It is essential that we understand how our policies have performed. To do this we must assess how current and relevant each policy is in terms of any changes at a national and local level, and also how successfully the policies have been used to meet the overall aim of the current Plan at a regulatory level. The results of this policy review will feed into the development of amended or new policies contained within our next Plan.

The following policy review has been set out in their relevant 12 chapters, and details the full analysis of each policy with hyperlinks to each relevant document, policy, or strategy. Included within this detailed analysis is also a review of each policy by Development Management – the regulatory side of the planning system – which gave vital information on how the policies were used at the decision making level. The Development Management review played an important part in concluding if the policy worked as it should, or if it needed major updating etc.

The Supplementary Guidance is found in Appendix 1 of this statement.

Local Development Plan Policy Chapter: General Policies

GP1 Sustainable Development

Policy:

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.

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 and facilitate ease of access for all.

This will be achieved through Allocations, Sites with Development Potential and Areas of Best Fit.

Justification

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.

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 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.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Sustainable development is a core value of the planning system.
- The 'Principles for Sustainable Land Use' as set out in the Land Use Strategy, when taking significant decisions affecting the use of land.
- Development Plans must be produced by local authorities with the objective of contributing to sustainable development as per the Brundtland Definition / Our Common Future / The World Commission on Environment and Development, 1987.
- Promotion of sustainable economic growth (new jobs and strengthening our community's capacity and resilience)
- Promote sustainable communities and low carbon communities

[Scottish Government Planning](#)

Key planning outcomes for Scotland (2019):

- A successful **sustainable place** – supporting **economic growth, regeneration** and the creation of **well-designed** places

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods

- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Planning Bill \(proposed to lay regulations and publish guidance relating to LDPs in Q4 2021\).](#)

- The purpose of planning is to manage the development and use of land in the long term public interest.
- Anything which –
 - (a) contributes to sustainable development, or
 - (b) achieves the national outcomes (within the meaning of Part 1 of the Community Empowerment (Scotland) Act 2015),
 is considered as being in the long term public interest.

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve and promote sustainable economic development (Strategic Objective 2)
- To ensure that Scottish islands are at the forefront of contributions to our ambition to end climate change (Strategic Objective 9)

[Shetland Partnership Plan 2018 – 2028](#)

- Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges (Partnership Plan – Our Shared Vision)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- Engage with the Local Development Plan process to ensure a range of suitable sites are identified to meet the requirements of business and industry

Supplementary Guidance:

- No associated SG

Development Management and Policy Lead review:

- It was felt that due to the vast amount of windfall developments then the wording of the policy isn't the most effective. Para 3 of the policy states that sustainable development will be achieved through AoBF and SWDP. Whereas, Para 2 is more useful as can be used for windfall development.

- Although, Para 2 states that new development should be adjacent or within existing settlements, there are not set settlement boundaries in Shetland. It was suggested that wording could be changed to mention habitation areas instead of settlements.
- This policy needs to be re-written to reflect the strategy of the next LDP which is more firmly focussed on allocated development sites and developer contributions. It should also honestly acknowledge the role of windfall sites as a significant part of the mix in meeting housing demand. Whilst same might not be viewed as “sustainable development” in other local authority areas, they very much are part of the sustainability of much of Shetland’s rural areas.

Conclusion:

- The heart of the policy is still relevant in terms of promoting development that does not affect future generations and seeks to push the goals of Scotland’s climate change plan and net zero targets.
- The policy needs rewriting to address our windfall developments or development that is not within our preferred areas of growth or sites included within the CfS process. Would these sites be classed as sustainable? The policy needs to acknowledge that windfall is still high in terms of planning application numbers.
- The use of the word settlements needs addressing, as we do not have settlement boundaries, so possibly use alternative word to describe areas of habitation – or do we retain the term settlement to avoid confusion as to areas where we prefer development?.
- Developments should comply with the government’s climate change plan and net zero targets (this will also be highlighted within the climate change policy)
- Possibly delete policy as it may be emerged into new Placemaking policy

GP2 General Requirements for All Development

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. Development should be located, constructed and designed so as to minimise the use of energy and 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.

d. Suitable water, waste water and surface water drainage must be provided;

e. Include the use of low and zero carbon generating technologies in accordance with the current Scottish Building Regulations.

f. Suitable access, car parking and turning should be provided;

g. Development should not adversely affect areas, buildings or structures of archaeological, architectural or historic interest;

h. Development should not sterilise mineral reserves;

i. Development should not sterilise allocated sites as identified within the Shetland Local Development Plan;

j. Development should not have a significant adverse effect on existing uses;

k. Development should not compromise acceptable health and safety standards or levels;

l. Development should be consistent with National Planning Policy, other Local Development Plan policies and Supplementary Guidance.

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.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- All new development should contribute to the SPP's Four Planning Outcomes:
 - Outcome 1: A successful, sustainable place
 - Outcome 2: A low carbon place
 - Outcome 3: A natural, resilient place
 - Outcome 4: A more connected place

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Scottish Planning Bill 2019 – Development Plans](#)

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[Applicable Policies and Strategies:](#)

[Creating Places 2013](#) The Scottish Government has identified the six qualities of successful places as:

- Distinctive; Safe and pleasant;
- Easy to move around;
- Welcoming;
- Adaptable; and
- Resource efficient.

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve and promote sustainable economic development (Strategic Objective 2)
- To improve transport services (Strategic Objective 3)
- To improve housing on Scottish Islands (Strategic Objective 4)
- To reduce the level of fuel poverty currently present on Scotland's islands (Strategic Objective 4)
- To improve and promote health and wellbeing (Strategic Objective 7)

- To improve and promote environmental wellbeing and deal with biosecurity (Strategic Objective 8)
- To ensure that Scottish islands are at the forefront of contributions to our ambition to end climate change (Strategic Objective 9)
- To empower diverse communities and different places (Strategic Objective 10)

[Housing to 2040: a conversation](#)

[The Environment Strategy for Scotland: vision and outcomes](#)

[Shetland Partnership Plan 2018 – 2028](#)

- Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges (Partnership Plan – Our Shared Vision)

Supplementary Guidance:

- No associated adopted SG, however Placemaking guidance is applicable.
- The policy criteria could be included within a new Design guidance that is used in conjunction with the Placemaking guidance, or the two could be brought together.

Development Management and Policy Lead review:

- Is ‘C’ trying to be too much of a catch-all? Perhaps better to split into 3 - energy, carbon and climate change; climate change adaptation, flood-risk management and water supply; and biodiversity and human health? The latter is traditionally not well addressed in development plans but feel that proper consideration of human health issues is overdue.
- It was felt that this is a good policy that is used for the majority of applications.
- Wording of first sentence should be changed to ‘development’ instead of ‘building’.
- Why not just replace “Applications for new buildings or for the conversion of existing buildings” with “All development”? Then reword the criteria to avoid subsequent repetition of “development”.
- Section E of the policy has no SG back up and it was viewed that this is now something that Building Standards would now deal with. Is energy efficiency of buildings within remit of LDP? Current SPP, at 157 says simply: “Local development plans should support new build developments, infrastructure or retrofit projects which deliver energy efficiency and the

recovery of energy that would otherwise be wasted both in the specific development and surrounding area. They should set out the factors to be taken into account in considering proposals for energy developments. These will depend on the scale of the proposal and its relationship to the surrounding area and are likely to include the considerations set out at paragraph 169.”

- It was suggested that it would be good to add in something regarding amenity value and open space, this relates to point J although it would be good to have more details.

Conclusion:

- Policy should also include obligation/criteria that development should contribute to net zero targets in-line with new climate change policy.
- Works well as an overarching and catch-all policy that is used most often by DM.
- Policy needs updating to replace the ‘building’ from the first line within the policy and to be replaced by ‘development’ as per the policy title
- Add appropriate to the beginning of parts D and F.
- Or the policy could be reworded to state “Applications for new buildings or for the conversion of existing buildings” with “All development”? Then reword the criteria to avoid subsequent repetition of “development”
- Section E is now covered within relevant building standards, so could be removed all together – however this needs to be checked
- Possibly add part to cover open space, amenity space and possibly no net loss of biodiversity (however, this may be covered within the new climate change policy)
- Policy and the criteria needs to be updated and checked against Outcomes listed within the Islands Plan
- Possibly delete policy as it may be emerged into new Placemaking policy

GP3 All Development: Layout and Design

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.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

All new development should contribute to the SPP’s Four Planning Outcomes:

- Outcome 1: A successful, sustainable place
- Outcome 2: A low carbon place
- Outcome 3: A natural, resilient place

- Outcome 4: A more connected place

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[Creating Places 2013](#) The Scottish Government has identified the six qualities of successful places as:

- Distinctive; Safe and pleasant;
- Easy to move around;
- Welcoming;
- Adaptable; and
- Resource efficient.

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve and promote sustainable economic development (Strategic Objective 2)
- To improve transport services (Strategic Objective 3)
- To improve housing on Scottish Islands (Strategic Objective 4)
- To reduce the level of fuel poverty currently present on Scotland's islands (Strategic Objective 4)
- To improve and promote health and wellbeing (Strategic Objective 7)
- To improve and promote environmental wellbeing and deal with biosecurity (Strategic Objective 8)
- To ensure that Scottish islands are at the forefront of contributions to our ambition to end climate change (Strategic Objective 9)
- To empower diverse communities and different places (Strategic Objective 10)

[Shetland Partnership Plan 2018 – 2028](#)

- Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges (Partnership Plan – Our Shared Vision)

Supplementary Guidance:

No associated adopted SG, however Placemaking guidance is applicable.

Development Management and Policy Lead review:

- Policy GP3 is used a lot, but the outcome is always subjective from the planning officer.
- It was noted that there have been challenges due to the lack of an overarching policy, however it was decided that this was technicalities that would possibly be guidance note or policy that could be developed by DM.

Conclusion:

- Policy needs completely redoing to tie into a new layout and materials guidance that marries with the objectives set out within the Placemaking Guidance.
- The policy can make reference to the Placemaking guidance and also a new stand-alone layout and materials guidance that lays out material finishes, building massing and layout etc (more meat on the bones of the Placemaking guidance).
- The policy mentions that it 'may request' a Masterplan and/or Design and Access Statement in support of development proposals. This should be taken out of the policy and should be included within a stand-alone policy that lists criteria or thresholds in terms of size and numbers, that makes the provision of masterplans, design statements etc, policy. This could also include the Quality Audit process within that new policy.
- Possibly delete policy as it may be emerged into new Placemaking policy

Local Development Plan Policy Chapter: Natural Heritage

NH1 International and National Designations

Policy:

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), National Nature Reserve (NNR) 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.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 194 outlines key policy principles including the requirement to conserve and enhance protected sites taking account of the need to maintain healthy ecosystems and work with natural processes which provide important services to communities and to seek biodiversity benefits where possible from new development.
- Paragraph 196 states that international, national and locally designated sites should be afforded the appropriate level of protection in development plans.
- Paragraph 207 states that any proposal likely to have a significant effect on SACs or SPAs (including Ramsar sites (para 211)), which collectively form a European network, which is not directly connected with or necessary to their conservation management must be subject to an “appropriate assessment” of the implications for the conservation objectives. Such proposals may only be approved if the competent authority has ascertained by means of an “appropriate assessment” that there will be no adverse effect on the integrity of the site.
- It is confirmed in paragraph 208 that a derogation available to approve proposals that could adversely affect the integrity of an SAC or SPA but only if:
 - There are no alternative solutions; **and**
 - There are imperative reasons of overriding public interest, including those of a social or economic nature; **and**
 - Compensatory measures are provided to ensure that the overall coherence of the European network is protected.
- Paragraph 209 highlights that Scottish minister must be notified if an authority wishes to use this derogation.

- Paragraph 210 confirms that the same level of protection to proposed and candidate SACs and SPAs.
- Paragraph 212 states that developments that affect National Scenic Areas, Sites of Special Scientific Interest or National Nature Reserves should only be permitted where:
 - the objective of the designation and the overall integrity of the area will not be compromised; or
 - any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.
- In paragraph 200 it is identified that plans should identify and safeguard the character of areas of wild land as identified on the 2014 Scottish Natural Heritage (SNH) map of wild land areas.
- It is clarified in paragraph 215 that in wild land areas while development may be appropriate in some circumstances, further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Scottish Planning Bill 2019 – Development Plans](#)

- “safeguarding or enhancing its character or appearance”, repeal of the previous wording “the desirability of safeguarding or enhancing...”. In respect of National Scenic Areas.
- Securing positive effects for biodiversity.

[Marine \(Scotland\) Act 2010](#)

- Designation of Marine Protected Areas, including for Nature Conservation reasons.

[The Protection of Seals \(Designation of Haul-Out Sites\) \(Scotland\) Order 2014](#)

- Designation of specific seal haul out sites to provide additional protection for seals from intentional and reckless harassment.

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[SNH Landscape Policy: wild land](#)

[United Nations Sustainable Development Goals](#)

[UN Aichi Targets](#)

[Scotland's Biodiversity: a route map to 2020.](#)

[Protecting Scotland's Future: the Government's Programme for Scotland 2019-20](#)

- confirms that the natural environment is central to Scotland's response to the global climate emergency.

[Scotland National Outcomes and Performance Framework.](#)

[Scotland's Environment Strategy \(2020\).](#)

Supplementary Guidance:

- Draft SPG on Natural Heritage (2012). Requires updating

Development Management and Policy Lead review:

- With respect to new development and change the guiding principles for the conservation of Shetland's biodiversity are:-
 - (i) There is no net loss of biodiversity.
 - (ii) All development should actively seek to enhance the biodiversity of the area.

(ii) Any adverse effects should be avoided, minimised and / or compensated, and every opportunity should be taken to create improvements for biodiversity.

- DM consider that this policy is needed and works well.
- It was noted that NH1 and NH2 share a justification and this can be confusing.
- Policy will need revision due to legislation changes caused by Brexit.
- There is a requirement to take account of new designations including wild land and Marine Protected Areas.

Conclusion:

- Overall the policy is needed. It provides protection for statutory international and nationally designated nature and landscape sites in line with SPP.
- Consideration should be given to separating the landscape and nature conservation elements into different policies and potentially having international and national designations placed in separate policies.
- Wild land areas either need to be included in this policy or for there to be a separate policy. It would fit within a separate landscape policy if one were created.
- There is a requirement to include all three types of Marine Protected Areas within the one policy, and also designated seal haul-outs. Either through inclusion in NH1 (or a separate policy) or clear signposting to the requirement to comply with relevant policies in the Shetland Islands Regional Marine Plan (SIRMP) even for terrestrial planning applications that have the potential to affect these sites. If included in LDP2 then it is essential that policy wording fully aligns with the SIRMP (this should be discussed further)
- Clarification needed on the types of Marine Protection Areas designated for nature conservation, demonstration and research, or historic reasons – all three are present in Shetland.
- Suggest amending wording so it is clear proposed SPAs and candidate SACs receive the same level of protection as fully designated sites.
- Policy and justification will need to be reworded to ensure compliance with Brexit legislation.
- Prepare a separate justification for this policy and NH2.

NH2 Protected Species

Policy:

Where there is good reason to suggest that a species protected under the Wildlife and Countryside Act 1981 (as amended), Annex IV of the Habitats Directive or Annex 1 of the Birds Directive 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 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 European Protected Species unless the Council is satisfied that:

- 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; and
- There is no satisfactory alternative; and
- The development will not be detrimental to the maintenance of the population of the European Protected Species concerned at a favourable conservation status in their natural range.

Planning permission will not be granted for development that would be likely to have an adverse effect on a species protected under Schedule 5 (animals) or 8 (plants) of the Wildlife and Countryside Act 1981 (as amended) unless the Council is satisfied that:

- Undertaking the development will give rise to, or contribute towards the achievement of, a significant social, economic or environmental benefit; and
- There is no satisfactory solution.

Planning permission will not be granted for development that would be likely to have an adverse effect on a species protected under Schedules 1, 1A or A1 (birds) of the Wildlife and Countryside Act 1981 (as amended), unless the Council is satisfied that:

- The development is required for preserving public health or public safety; and

There is 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.

The Council will apply the precautionary principle where the impacts of a proposed development on natural heritage are uncertain but potentially significant. Where development is constrained on the grounds of uncertainty, the potential for research, surveys or assessments to remove or reduce uncertainty should be considered.

Further guidance can be found in Supplementary Guidance – Natural Heritage

Justification

Certain natural heritage features, whether they be of habitats, species, landscape or geological or geomorphological in nature, are protected under European and/ or UK law. Their presence on or near a development site will require consideration to ensure compliance with the relevant legislation and more generally that no

adverse effect on the population or feature arises, including cumulatively. On occasion a species licence as well as planning permission will be required.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 194 outlines key policy principles including the requirement to conserve and enhance protected species taking account of the need to maintain healthy ecosystems and work with natural processes which provide important services to communities and to seek biodiversity benefits where possible from new development.
- Paragraph 214 states that the presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence.

[Scottish Planning Bill 2019 – Development Plans](#)

- Securing positive effects for biodiversity.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[United Nations Sustainable Development Goals](#)

[UN Aichi Targets](#)

[Scotland's Biodiversity: a route map to 2020.](#)

[Protecting Scotland's Future: the Government's Programme for Scotland 2019-20](#)

[Scotland National Outcomes and Performance Framework.](#)

[Scotland's Environment Strategy \(2020\).](#)

Supplementary Guidance:

- Draft SPG on Natural Heritage (2012). Requires updating

Development Management and Policy Lead review:

- DM consider that this policy is needed and works well.
- It was noted that NH1 and NH2 share a justification and this can be confusing.
- Policy will need revision due to legislation changes caused by Brexit.
- Precautionary principle should apply to all policies not just NH2.
- Consider splitting policy to have separate internationally and nationally protected species.
- SNH wording "that undertaking the conduct authorised by the licence will give rise to, or contribute towards the achievement of, a significant social, economic or environmental benefit; and that there is no other satisfactory solution". For species listed under Schedule 5 or 8 of the WCA 1981.

Conclusion:

- The policy is required to set out the legal protection offered to a number of different species.
- The precautionary principle should apply generally to all development and not sit just under this policy. It is an overriding principle that is relevant to all Natural Heritage policies.
- Prepare a separate justification for this policy and NH1.

NH3 Furthering the Conservation of Biodiversity

Policy:

Development will be considered against the Council's obligation to further the conservation of biodiversity and the ecosystem services it delivers. The extent of these measures should be 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, Annexes I and II of the Habitats Directive, Annex I of the Birds Directive (if not included in Schedule 1 of the Wildlife and Countryside Act) or on the ecosystem services of biodiversity, including any cumulative impact, will only be permitted where it has been demonstrated by the developer that;

- 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
- 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.

Justification

The Council is legally obliged to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. Biodiversity means the variety of life. Biodiversity provides ecosystem services such as:

- Soil formation and cycling of water
- Climate regulation
- Food, medicines and other materials
- Outdoor learning and recreation
- Spiritual uplift and restorative therapy

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 194 outlines key policy principles including the requirement to conserve and enhance native and long-established woods, hedgerows and individual trees with high nature conservation or landscape value, to seek biodiversity benefits where possible from new development, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats and support opportunities for enjoying and learning about the natural environment.
- Paragraph 195 states the duty that all public bodies have under the Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity. This duty must be reflected in development plans and development management decisions. The requirement for public bodies to apply the Principles for Sustainable Land Use, as set out in the Land Use Strategy is also highlighted.
- Paragraph 199 makes it clear that plans should address the potential effects of development on the natural environment. This should include proposals for major-accident hazard sites and the cumulative effects of incremental changes. Opportunities for the enhancement of degraded landscapes, particularly where this helps to strengthen and / or restore the natural processes which underpin the resilience of communities should be promoted.
- Paragraph 217 states that planning authorities should, where appropriate, seek opportunities to create new woodland and plant native trees in association with development.
- Paragraph 218 clarifies that there is a presumption in favour of protecting woodlands and that removal should only be permitted where it would achieve significant and clearly defined additional benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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- Towards peatland protection
- For the creation of emissions efficient design and town centres

Scottish Planning Bill 2019 – Development Plans

Key planning outcomes for Scotland (2019):

- Securing positive effects for biodiversity

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

To improve and promote environmental wellbeing and deal with biosecurity (Strategic Objective 8)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[UN Aichi Targets](#)

[The 'Invasive Non-Native Species Framework Strategy for Great Britain'](#)

[The Wildlife and Natural Environment \(Scotland\) Act 2011](#)

[Nature Conservation \(Scotland\) Act 2004](#)

[Pollinator Strategy for Scotland 2017 - 2027](#)

[Scottish Land Use Strategy – particularly the Principles of Sustainable Land Use.](#)

[The Environment Strategy for Scotland: vision and outcomes](#)

- Scotland's nature is protected and restored with flourishing biodiversity and clean and healthy air, water, seas and soils. (Outcome)

Supplementary Guidance:

- Draft SPG on Natural Heritage (2012). Requires updating

Development Management and Policy Lead review:

- DM consider that this policy is needed and works well.
- Policy will need revision due to legislation changes caused by Brexit.
- The Local Action Biodiversity Plan – 2004 needs to be updated. It is listed as 'Living Shetland' on our (SIC) website, which can cause confusion. Living Shetland is the Island's Local Biodiversity Action Plan (LBAP). Local Action Biodiversity Plan requires revision, e.g. delete UKBAP, add WANE and biodiversity reporting duty etc.
- With respect to new development and change the guiding principles for the conservation of Shetland's biodiversity are:-
 - (iii) There is no net loss of biodiversity.
 - (ii) All development should actively seek to enhance the biodiversity of the area.
 - (iv) Any adverse effects should be avoided, minimised and/ or compensated, and every opportunity should be taken to create improvements for biodiversity.
- At present the policy is not fully compliant with these principles.
- Need to consider inclusion of requirements set out in SPP in relation to trees and woodland and cumulative effects in addition to NERC requirements. Shetland obviously has very low tree and woodland cover and is not suitable for large scale afforestation there is potential for sensitively targeted planting to provide biodiversity benefits. Additionally due to the lack of trees any consideration for removal for development should be avoided if possible.

Conclusion:

- The policy is required although some rewording is necessary.
- Policy should state 'all development'
- Invasive non-native species and biosecurity should be specifically included, especially in an island setting where they can have significant negative impacts. The requirement to address invasive non-native species is highlighted in the development management section of SP
- The landscape, trees and woodlands, and assessment of cumulative requirements set out in SPP should be included in this policy.
- In order to comply with Scotland's Environment Strategy need to consider how planning can contribute to the restoration as well as the protection of Scotland's biodiversity.

NH4 Local Designations

Policy:

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; or
- 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

Justification

Local Nature Conservation Sites (LNCS) identify sites of nature conservation value at the local scale; they may have been selected for their biodiversity or geodiversity interest. The identification of these sites early in the planning process will allow for effective avoidance of unacceptable effects on the integrity of these sites, increasing the transparency of the process. Local Nature Conservation Sites have the potential to help the Council to identify and prioritise action for habitats and species, in support of the biodiversity duty, and as a contribution to implementing the UK Biodiversity Action Plan, Scottish Biodiversity Strategy and the Local Biodiversity Action Plan.

Local Landscape Areas have the potential to protect and enhance the character and quality of landscapes, which are valued locally. The creation of Local Landscape Areas can increase awareness of the distinctive character and special qualities of local landscapes and support outdoor recreation, physical activity and local tourism.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 194 outlines key policy principles including the requirement to conserve and enhance protected sites taking account of the need to maintain healthy ecosystems and work with natural processes which provide important services to communities and to seek biodiversity benefits where possible from new development.
- Paragraph 196 states that international, national and locally designated sites should be afforded the appropriate level of protection in development plans. It also highlights that reasons for local designation should be clearly explained and their function and continuing relevance considered when preparing plans and that the level of protection given to local designations should not be as high as that given to international or national designations.
- Paragraph 197 provides further clarification that non-statutory local designations should be limited to areas of local landscape or nature conservation value:

The purpose of areas of local landscape value should be to:

- safeguard and enhance the character and quality of a landscape which is important or particularly valued locally or regionally; or
- promote understanding and awareness of the distinctive character and special qualities of local landscapes; or
- safeguard and promote important local settings for outdoor recreation and tourism.

Local nature conservation sites should seek to accommodate the following factors:

- species diversity, species or habitat rarity, naturalness and extent of habitat;
- Contribution to national and local biodiversity objectives;
- Potential contribution to the protection or enhancement of connectivity between habitats or development of green networks; and
- Potential to facilitate enjoyment and understanding of natural heritage.

[Scottish Planning Policy – finalised amendments: December 2020](#)

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[United Nations Sustainable Development Goals](#)

[UN Aichi Targets](#)

[Scotland's Biodiversity: a route map to 2020](#)

[Scotland National Outcomes and Performance Framework.](#)

[Scotland's Environment Strategy \(2020\).](#)

Supplementary Guidance:

- SPG on Local Nature Conservation Sites (adopted 2015).
- Draft SPG of Local Landscape Areas. Requires updating.

Development Management and Policy Lead review:

- DM consider that this policy is needed and works well.
- There is a requirement to agree Local Landscape Areas.
- Should all locally designated sites be included in LDP2 rather than SG?

Conclusion:

- The policy is required and offers clear protection to locally designated sites in line with the requirements SPP.
- Consideration should be given to separating the landscape and nature conservation policies if NH1 is to be separated in this way
- All locally designated sites either need to be included in LDP2 or in a separate register that can be revised as required.
- Local Landscape Areas are unlikely to change it is proposed that these are included in LDP2 or accompanying advice note.

NH5 Soils

Policy:

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:

- 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;
- 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

Justification

Soil formation processes involve long timescales and soils should be viewed as a finite and non-renewable resource. Soils are one of Shetland's greatest natural assets and are the heart of most terrestrial life. The Scottish Soil Framework sets out the many functions of soils, including:

- Providing the basis for food and other biomass production
- Underpinning nationally and internationally valued rare habitats and sustaining biodiversity
- Controlling and regulating environmental interactions, for example water flow and quality
- Storing carbon
- Maintaining the balance of gases in the air
- Preserving cultural and archaeological heritage
- Providing raw materials
- Providing a platform for buildings and roads

Soils fulfil important socio-economic and environmental roles; therefore it is important that Shetland's soils are managed sustainably, in order that they can retain the capacity to carry out their many vital functions.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 194 outlines key policy principles including the requirement to seek to protect soils from damage such as erosion or compaction.
- Paragraph 80 stresses that development on prime agricultural land, or land of lesser quality that is locally important should not be permitted except where it is essential (listing factors under this category).
- Paragraph 205 states that where peat and other carbon rich soils present the applicant must assess the likely effects of the development on carbon dioxide (CO₂) emissions.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Scottish Planning Bill 2019 – Development Plans](#)

- New NPF to have regard to the desirability of preserving peatland

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[Scottish Soil Framework](#)

[Scotland's National Peatland Plan \(2015\)](#)

- Principle aim is to protect, manage and restore peatlands to maintain their natural functions, biodiversity and benefits.

[Carbon and peatland map 2016 & Carbon-rich soils.](#)

- (This was produced specifically in relation to locational guidance for onshore windfarms but there is no reason that it should not be considered in relation to all developments?)

[Guidance on Development on Peatland – Peatland Survey \(2017\)](#)

[The Environment Strategy for Scotland: vision and outcomes](#)

Supplementary Guidance:

- Draft SPG on Natural Heritage (2012). Requires updating

Development Management and Policy Lead review:

- DM consider that this policy is needed and works well.
- There is a requirement to re-instate a specific policy about peat, especially in view of the 2016 peatland map.

Conclusion:

- There is a requirement for greater consideration of the impacts of development on peat and other carbon rich soils in line with the Carbon and Peatland 2016 map
- Should be applicable to all development.
- The policy could reference to the 2016 Carbon and Peatland Map, although this was produced for consideration of terrestrial windfarms it could be used as an initial assessment for all development.
- Under the national scale land capability for agriculture there is no land identified within Class 1, 2 or 3 and therefore the requirement to protect soil should be considered.
- Should carbon dioxide / greenhouse gas emissions be considered specifically as part of this policy? This could be addressed within GP1/2 or within the new climate change policy

NH6 Geodiversity

Policy:

Development will only be permitted where appropriate measures are taken to protect and/or enhance important geological and geomorphological 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:

- 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;
- Any loss of geodiversity is reduced to acceptable levels by mitigation, and a record is made prior to any loss.

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

Justification

Geodiversity is the variety of rocks, minerals, fossils, landforms, sediments and soils, together with the natural processes that form and alter them. Shetland's geodiversity is very diverse, especially for a relatively small land area, and is of international significance. Geodiversity can be regarded as a finite non-renewable resource that underpins many different types of services that ecosystems provide, including:

- The physical basis of the landscape;
- An influence on terrestrial and marine habitats, wildlife and the use of land and water;
- Resources for many aspects of economic development;
- Influence on the character of the built environment;
- A resource for education and research; and
- A knowledge base to help adapt to climate change and mitigate natural hazards;
- Resources for a variety of recreation and outdoor activities.

The relationship between geodiversity and biodiversity is fundamental. Most habitats cannot exist without the supporting medium of soils and soils cannot form without weathering processes acting on underlying sub-soils and rocks.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 198 states that local nature conservation sites designated for their geodiversity should be selected for their value for scientific study and education, their historical significance and cultural and aesthetic value, and for their potential to promote public awareness and enjoyment.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Applicable Policies and Strategies:](#)

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[The Waste Management Licensing \(Scotland\) Regulations 2011](#)

[Scottish Soil Framework](#)

[Scotland's Environment Strategy \(2020\).](#)

Supplementary Guidance:

- Draft SPG on Natural Heritage (2012). Requires updating

Development Management and Policy Lead review:

- DM consider that this policy is needed and works well.
- Needs to include reference to and identification of local sites. How are these sites assessed and identified.

Conclusion:

- The policy is required and offers clear protection to locally designated sites in line with the requirements SPP.
- The policy can make reference to the aims and objectives of the Shetland UNESCO Geopark.
- Clarification over the status of the local geosites register is required. Should this be included in map form within LDP2?

NH7 Water Environment

Policy:

Development will only be permitted where appropriate measures are taken to protect the marine and freshwater environments to an extent that is relevant and proportionate to the scale of development.

Development adjacent to a watercourse or water body must be accompanied by sufficient information to enable a full assessment of the likely effects.

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

- There will be no deterioration in the ecological status of the watercourse or water body;
- It does not encroach on any existing buffer strips and that access to these buffer strips has been maintained; and
- Both during the construction phase and after completion it would not significantly affect:
 - Water quality flows in adjacent watercourses or areas downstream

Natural flow patterns and sediment transport processes in all water bodies or watercourses.

Justification

The Council has a duty to protect, and where possible improve, Shetland's water environment in its role as a responsible authority under the Water Framework Directive.

It is a key objective of the Scottish River Basin Management Plan and the Shetland Area Management Plan that water bodies and watercourses achieve good ecological status and that there is no deterioration in the current ecological status.

The water environment includes burns, rivers, ponds, lochs, wetlands, standing, tidal or coastal waters as well as ground water. A water body is generally defined as still water e.g. lochs and ponds and a watercourse as moving water e.g. burns and rivers.

The creation and maintenance of buffer strips can help reduce flooding in the surrounding landscape, allow for the maintenance of watercourses, reduce pollution from nearby developments and allow for a wildlife corridor to be maintained or established.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 193 emphasises that the natural environment forms the foundation of the spatial strategy set out in National Planning Framework 3 and that planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.
- Paragraph 194 outlines key policy principles including the requirement to promote the protection and improvement of the water environment,

including rivers, lochs, estuaries, wetlands, coastal waters and groundwater, in a sustainable and co-ordinated way.

- Paragraph 195 highlights that all public bodies, including planning authorities, have a duty under the Water Environment and Water Services (Scotland) Act 2003 to protect and improve Scotland's water environment.

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[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

Place Standard 2017

[Flood Risk Management \(Scotland\) 2009](#)

[River Basin Management Plans](#)

Set objectives and action programmes for protection and improvement of Scotland's water environment.

[Scotland's Environment Strategy \(2020\).](#)

Supplementary Guidance:

- Draft SG on Water and Drainage (2012). Requires Updating

Development Management and Policy Lead review:

- DM consider that this policy is needed and works well.

Conclusion:

- Minor change to policy to include no barriers to fish movement should be introduced.
- Overall the policy is needed and it meets its aims and objectives to protect, conserve and enhance Shetland's water environment.
- The policy wording should be slightly amended to include "and enhance" after protect in the first sentence to bring it in line with the wording within SPP.
- No issues have been raised that would need to be discussed further within the MIR.

Local Development Plan Policy Chapter: Historic Environment

HE1 Historic Environment

Policy:

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.

Justification

The historic environment includes ancient monuments, archaeological sites and landscapes, historic buildings, townscapes, gardens and designed landscapes and our marine heritage. The context and setting of historic features in the landscape and the patterns of past use are also part of the historic environment.

The historic environment is a key part of Shetland's cultural heritage, enhancing regional and local distinctiveness and providing a sense of identity and continuity for communities. It contributes to economic growth, and can act as a catalyst for successful regeneration and community-building. It also contributes to sustainable development through the energy and material invested in older buildings, and their scope for adaptation and re-use.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions

- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Our Place in Time: the Historic Environment Strategy for Scotland](#)

- Understanding – By investigating and recording our historic environment to continually develop our knowledge, understanding and interpretation of our past and how best to conserve, sustain and present it.
- Protecting – By caring for and protecting the historic environment, ensuring that we can both enjoy and benefit from it and conserve and enhance it for the enjoyment and benefit of future generations.
- Valuing – By sharing and celebrating the richness and significance of our historic environment, enabling us to enjoy the fascinating and inspirational diversity of our heritage.

[Historic Environment Scotland Policy Statement June 2016](#): key principles

- Secure conservation and management for benefit and enjoyment of all
- Presumption in favour of preservation of individual historic assets and pattern of wider historic environment
- Managed in sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value
- All of the people of Scotland should be able to enjoy, appreciate, learn and understand Scotland's historic environment through access, research, knowledge, information and education and proactive conservation investment without compromise to cultural significance.

[Our Place in Time: the Historic Environment for Scotland \(Vision\)](#)

- Understanding
- Protecting
- Valuing

Supplementary Guidance:

- Historic Environment (Draft) 2012 – needs completely redoing to better reflect a guidance document and that of the aims of HES' Managing Change in the Historic Environment Guidance publications.

Development Management and Policy Lead review:

- It was agreed that all historic environment policies work well and are all needed.
- Some gaps regarding shop signage and advertisement consents – whether this should be covered within policy or SG.
- Historic Environment Scotland have a new set of policy guidance notes, DP will need to review these to see if there's to be changes to policies within the LDP for LDP2.

Conclusion:

- Minor wording change
- Overall the policy is needed and it meets its aims and objectives to protect, conserve and enhance Shetland's historic environment.
- The policy wording could be slightly amended to include more on the economic benefits of the historic environment including educational – in line with the wording within SPP.
- Reference should be made to HES' Managing Change Guidance when reviewing policy wording.
- No issues have been raised that would need to be discussed further within the MIR.
- Shop Signage should be included within this policy or a standalone town centre protection policy

HE2 Listed Buildings

Policy:

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 clearly be demonstrated that every effort has been made to retain it.

Justification

Listing is the process that identifies, designates and provides statutory protection for buildings of special architectural or historic interest. In assessing applications under the Planning (Scotland) Acts that affect a listed building the planning authority is required to have special regard to the desirability of preserving the

building, or its setting, or any features of special architectural or historic interest that it possesses.

Once lost, listed buildings cannot be replaced; they can be robbed of their special interest either by inappropriate alteration or by demolition. Therefore there is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

Additional policies on development affecting Listed Buildings are set out in Supplementary Guidance

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Change to a listed building should be managed to protect its special interest while enabling it to remain in active use.
- Special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest.
- The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.
- Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.
- Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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Applicable Policies and Strategies:

[Shetland Partnership Plan 2018 – 2028](#)

[Our Place in Time March 2014](#)

- Understanding – By investigating and recording our historic environment to continually develop our knowledge, understanding and interpretation of our past and how best to conserve, sustain and present it.
- Protecting – By caring for and protecting the historic environment, ensuring that we can both enjoy and benefit from it and conserve and enhance it for the enjoyment and benefit of future generations.
- Valuing – By sharing and celebrating the richness and significance of our historic environment, enabling us to enjoy the fascinating and inspirational diversity of our heritage

Historic Environment Scotland Policy Statement June 2016: key principles

- Secure conservation and management for benefit and enjoyment of all
- Presumption in favour of preservation of individual historic assets and pattern of wider historic environment
- Managed in sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value. Further reference should be made to HES' Key Principles on the conservation of Scotland's historic environment.

Our Place in Time: the Historic Environment for Scotland (Vision)

- Understanding
- Protecting
- Valuing

Supplementary Guidance:

- Historic Environment (Draft) 2012 – needs completely redoing to better reflect a guidance document and that of the aims of HES' Managing Change in the Historic Environment Guidance publications.

Development Management and Policy Lead review:

- It was agreed that all historic environment policies work well and are all needed.
- Some gaps regarding shop signage and advertisement consents – whether this should be covered within policy or SG.
- Historic Environment Scotland have a new set of policy guidance notes, DP will need to review these to see if there's to be changes to policies within the LDP for LDP2.

Conclusion:

- No change to policy – possibly minor wording changes to better reflect HES' Managing Change Guidance publications.
- Overall the policy is needed and it meets its aims and objectives to protect, conserve and enhance Shetland's historic environment – namely listed buildings.
- The policy wording could be slightly amended to include more on the economic benefits of the historic environment including educational – in line with the wording within SPP.
- No issues have been raised that would need to be discussed further within the MIR.

HE3 Conservation Areas

Policy:

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.

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 clearly be demonstrated that every effort has been made to retain it.

The planning authority should preserve the amenity value of trees in conservation areas.

Justification

Conservation areas are areas of special architectural or historic interest. In assessing applications under the Planning (Scotland) Acts the planning authority is required to have special regard to the desirability of preserving or enhancing the character and appearance of these areas.

The importance of the building and its contribution to the character and appearance of any part of the conservation area are key considerations when assessing demolition proposals. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should be made to achieve its retention, restoration and sympathetic conversion to some other compatible use. Where demolition is deemed acceptable, careful consideration should be given to the design and quality of the replacement scheme.

The planning authority also has powers to preserve trees in conservation areas in the interests of amenity.

Additional policies on development within Conservation Areas are set out in Supplementary Guidance

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed [Article 4 Directions](#). This should be supported by Conservation Area Appraisals and Management Plans.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities

- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[PAN 71: Conservation Area Management](#)

- Desirable to preserve and enhance
- Overall strategies or visions for conservations areas will help determine priorities
- Townscape audits and conservation area appraisals are useful tools for development and implementing a management strategy
- Conservation area appraisals should be set out in action plans or supplementary guidance

Applicable Policies and Strategies:

[Shetland Partnership Plan 2018 – 2028](#)

[Our Place in Time March 2014](#)

- Understanding – By investigating and recording our historic environment to continually develop our knowledge, understanding and interpretation of our past and how best to conserve, sustain and present it.
- Protecting – By caring for and protecting the historic environment, ensuring that we can both enjoy and benefit from it and conserve and enhance it for the enjoyment and benefit of future generations.
- Valuing – By sharing and celebrating the richness and significance of our historic environment, enabling us to enjoy the fascinating and inspirational diversity of our heritage

[Historic Environment Scotland Policy Statement June 2016](#):: key principles

- Conservation areas are defined as ‘areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’.
- Stop inappropriate changes that reduces the cultural significance, or detracts from the appearance or quality of conservation areas. Further reference should be made to HES’ Key Principles on the conservation of Scotland’s historic environment.

[Our Place in Time: the Historic Environment for Scotland \(Vision\)](#)

- Understanding
- Protecting
- Valuing

Supplementary Guidance:

- Historic Environment (Draft) 2012 – needs completely redoing to better reflect a guidance document and that of the aims of HES' Managing Change in the Historic Environment Guidance publications.
- Conservation Area Appraisal needs updating
- Article 4 Direction needs updating
- Shop signage Areas of Control needs assessing and adopting

Development Management and Policy Lead review:

- It was agreed that all historic environment policies work well and are all needed.
- Some gaps regarding shop signage and advertisement consents – whether this should be covered within policy or SG.
- Historic Environment Scotland have a new set of policy guidance notes, DP will need to review these to see if there's to be changes to policies within the LDP for LDP2.

Conclusion:

- Policy addresses SPP and HESs aims to protect and enhance Shetland's conservation areas.
- However, Conservation Area Appraisals needs undertaking that will feed into any policy update should issues be highlighted that needs addressing within policy. The CAA will also feed into and design guidance or SG
- Article 4 Direction needs updating
- Shop signage Areas of Control needs to be produced and adopted within LDP2 as a stand-alone policy with signage guidance on design/materials

HE4 Archaeology

Policy:

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.

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.

Justification

Scheduled monuments are archaeological sites, buildings or structures of national or international importance. Where works requiring consent under the Planning (Scotland) Acts affect a scheduled monument, the protection of the monument and its setting are important considerations. Where planning controls extend offshore, the planning authority should ensure that development will not adversely affect the integrity and setting of wrecks designated under the Protection of Wrecks Act 1973 or as Historic Marine Protected Areas under the Marine (Scotland) Act 2010.

Archaeological sites and monuments are important and finite resources that have the potential to increase our knowledge of the past, and should be protected and preserved in situ wherever feasible. The planning authority should consider the presence and potential presence of archaeological assets when making decisions on planning applications. Where preservation in situ is not possible the planning authority should ensure that developers undertake appropriate excavation and/ or recording of the site.

Additional policies on development and archaeology are set out in Supplementary Guidance.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Strategic development plans should protect and promote their significant historic environment assets. They should take account of the capacity of settlements and surrounding areas to accommodate development without damage to their historic significance.
- Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment.

Applicable Policies and Strategies:

[Shetland Partnership Plan 2018 – 2028](#)

- ?
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[Our Place in Time March 2014](#)

- Understanding – By investigating and recording our historic environment to continually develop our knowledge, understanding and interpretation of our past and how best to conserve, sustain and present it.
- Protecting – By caring for and protecting the historic environment, ensuring that we can both enjoy and benefit from it and conserve and enhance it for the enjoyment and benefit of future generations.
- Valuing – By sharing and celebrating the richness and significance of our historic environment, enabling us to enjoy the fascinating and inspirational diversity of our heritage

[Historic Environment Scotland Policy Statement June 2016:](#) key principles:

- there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment
- Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value

Our Place in Time: the Historic Environment for Scotland (Vision)

- Understanding
- Protecting
- Valuing

Supplementary Guidance:

- Historic Environment (Draft) 2012 – needs completely redoing to better reflect a guidance document and that of the aims of HES' Managing Change in the Historic Environment Guidance publications.

Development Management and Policy Lead review:

- It was agreed that all historic environment policies work well and are all needed.
- Historic Environment Scotland have a new set of policy guidance notes, DP will need to review these to see if there's to be changes to policies within the LDP for LDP2.

Conclusion:

- Overall the policy meets the requirements set out by SPP and HES by seeking to protect and preserve Shetland's archaeology in situ and within an appropriate setting.
- Policy justification should mention the economic benefits of retaining and preserving our archaeology.
- Wording should be checked against HES' Managing Change publications.

HE5 Gardens and Designed Landscapes

Policy:

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 that contribute to their value.

Justification

Gardens and designed landscapes are defined as grounds that have been laid out for artistic effect. Gardens and designed landscapes are often the setting of important buildings and, in addition to parkland, woodland, water and formal garden elements, can often have significant archaeological and scientific interest.

An Inventory of Gardens and Designed Landscapes of national importance is compiled by Historic Scotland. The planning authority has a role in protecting, preserving and enhancing gardens and designed landscapes included in the Inventory and gardens and designed landscapes of regional and local importance.

The effect of a proposed development on a garden or designed landscape should be a consideration in decisions on planning applications. Change should be managed to ensure that the significant elements justifying designation are protected or enhanced.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment
- Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Applicable Policies and Strategies:](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Our Place in Time March 2014](#)

- Understanding – By investigating and recording our historic environment to continually develop our knowledge, understanding and interpretation of our past and how best to conserve, sustain and present it.

- Protecting – By caring for and protecting the historic environment, ensuring that we can both enjoy and benefit from it and conserve and enhance it for the enjoyment and benefit of future generations.
- Valuing – By sharing and celebrating the richness and significance of our historic environment, enabling us to enjoy the fascinating and inspirational diversity of our heritage

Historic Environment Scotland Policy Statement June 2016:: key principles

- there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it;

Our Place in Time: the Historic Environment for Scotland (Vision)

- Understanding
- Protecting
- Valuing

Supplementary Guidance:

- Historic Environment (Draft) 2012 – needs completely redoing to better reflect a guidance document and that of the aims of HES' Managing Change in the Historic Environment Guidance publications.

Development Management and Policy Lead review:

- It was agreed that all historic environment policies work well and are all needed.
- Historic Environment Scotland have a new set of policy guidance notes, DP will need to review these to see if there's to be changes to policies within the LDP for LDP2.

Conclusion:

- Overall the policy meets the requirements set out by SPP and HES by seeking to protect and preserve gardens and designed landscapes.
- Wording should be checked against HES' Managing Change publications.

HE6 Trees and Woodlands

Policy:

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.

Justification

The planning authority may make Tree Preservation Orders to protect individual and groups of trees considered important for amenity or for their cultural or historic interest.

The planning authority has a duty to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made for the preservation and planting of trees.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment.
- Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

[Scottish Planning Policy – finalised amendments: December 2020](#)

-

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Scottish Planning Bill 2019 – Development Plans](#)

Requirement for all planning authorities to prepare a Forestry and Woodland strategy. Including the identification of woodlands of high nature conservation value. (*need to clarify if this refers to individual and relic trees*).

[Applicable Policies and Strategies:](#)

[Shetland Partnership Plan 2018 – 2028](#)

[Scottish Government's Policy on Control of Woodland Removal: Implementation Guidance](#)

Maintain and enhance Scotland's forests and woodland resources

[Scotland's' Forestry Strategy](#)

[Scottish Government's Control of Woodland Removal Policy](#)

Supplementary Guidance:

- Historic Environment (Draft) 2012 – needs completely redoing to better reflect a guidance document and that of the aims of HES' Managing Change in the Historic Environment Guidance publications.

Development Management and Policy Lead review:

- It was agreed that all historic environment policies work well and are all needed.
- Historic Environment Scotland have a new set of policy guidance notes, DP will need to review these to see if there's to be changes to policies within the LDP for LDP2.

Conclusion:

- Overall the policy covers the aims set within national policy and that of HES key principles.
- No amendment or changes required.

Local Development Plan Policy Chapter: Coastal Development

CST 1 Coastal Development

Policy:

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, built environment and cultural heritage resources either in the sea or on land;

- The location, scale and design are such that it will not have a significant adverse impact.
- 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, and/ or neighbouring land.

Proposals for marine aquaculture developments or amendments to existing fish farm developments will be assessed against the Supplementary Guidance Policy for Aquaculture.

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.

Justification

Whilst Local Authority planning control in the coastal area from Mean Low Water Springs to the limit of territorial waters extends to aquaculture only, the Council must take account of all activities around Shetland's coast. This requirement is further augmented by the duty of development control and safe navigation in respect of marine development placed upon the Council by the Zetland County Council Act 1974. Consequently any proposal for development in the coastal area has to consider a wide range of marine activity and resource use many of which have an economic, environmental and social impact both in the sea and on neighbouring land. Activities will include marine renewables and other forms of energy extraction, marine infrastructure, aquaculture, maritime activities and recreation.

Planning control for aquaculture extends to both the freshwater and marine environments. Finfish and shellfish farming are very significant components of the local economy and SPP requires planning authorities to support the sustainable economic development of new and modified farms in appropriate locations. There is also a need to ensure that potential adverse effects on the environment are minimised and potential conflicts with other users of the marine or freshwater resource are minimised. To this end development proposals will be assessed in line with the Council's Policy for Aquaculture that forms Supplementary Guidance to the Development Plan.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- The planning system should support an integrated approach to coastal planning to ensure that development plans and regional marine plans are complementary.
- Terrestrial planning by planning authorities overlaps with marine planning in the intertidal zone.
- On the terrestrial side, mainland planning authorities should work closely with neighbouring authorities, taking account of the needs of port authorities and aquaculture, where appropriate.
- On the marine side, planning authorities will need to ensure integration with policies and activities arising from the National Marine Plan, Marine Planning Partnerships, Regional Marine Plans, and Integrated Coastal Zone Management, as well as aquaculture.
- Plans should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and island areas, and that a precautionary approach to flood risk should be taken.
- They should confirm that new development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to avoid development in areas at risk.
- Where appropriate, development plans should identify areas at risk and areas where a managed realignment of the coast would be beneficial.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[National Marine Plan \(2015\)](#)

[Shetland Isles Regional Marine Plan Consultation](#) Draft (consultation closed 30th December 2019 but not out to consultation yet)

[Joint Aquaculture Statement \(2017\)-](#)

<https://www2.gov.scot/Resource/0051/00516406.pdf>

[Scotland's 10 Year Farmed Fish Health Framework -](#)

<http://www.gov.scot/Publications/2018/05/8141/downloads>

[Technical Standard for Scottish Finfish Aquaculture-](http://www.gov.scot/Publications/2015/06/5747)

<http://www.gov.scot/Publications/2015/06/5747>

[The updated PDR Order -](https://www.legislation.gov.uk/ssi/2018/142/pdfs/ssi_20180142_en.pdf)

https://www.legislation.gov.uk/ssi/2018/142/pdfs/ssi_20180142_en.pdf

[Updated EIA Regulations:](http://www.legislation.gov.uk/ssi/2017/102/contents/made)

<http://www.legislation.gov.uk/ssi/2017/102/contents/made>

[Aquaculture Planning Circular 1/2015:](https://www.gov.scot/publications/circular-1-2015-relationship-between-statutory-land-use-planning-system/pages/8/) relationship between the statutory land use planning system and marine planning and licencing <https://www.gov.scot/publications/circular-1-2015-relationship-between-statutory-land-use-planning-system/pages/8/>

[SG Planning and Consenting pages](https://www2.gov.scot/Topics/marine/Fish-Shellfish/18716) - <https://www2.gov.scot/Topics/marine/Fish-Shellfish/18716>

Supplementary Guidance:

- No applicable SG however Aquaculture policy may be used as future SG

Development Management and Policy Lead review:

- Marine feedback –
- It is quite a generic policy but that is how it was intended to be and we have found that the bullet points in the first paragraph are broad ranging enough to cover the general issues that come up with most marine development proposals.
- To date, we have found Policy CST1 perfectly adequate when used in conjunction with the more specific policy areas covered by the Marine Spatial Plan (adopted as SG in February 2015), the Council’s Aquaculture Policy (currently under review and proposed as SG) and where relevant the Council’s Works Licence Policy (also currently under review).
- Marine planning policy is evolving fast at the national and regional level and a number of things have happened in this area since the LDP was adopted including adoption of Scotland’s National Marine Plan in March 2015, and, following on from that, progression with establishment of Marine Planning Partnerships who have responsibility for producing Regional Marine Plans. With regards the latter, the Shetland Marine Planning Partnership has been established and work on Shetland’s first Regional Marine Plan (RMP) is underway. Both Scottish Planning Policy and the National Marine Plan advocate an integrated approach to coastal and marine planning requiring LDPs and RMPs to take account of and complement one another and this is further reinforced in *Circular 1/2015 The relationship between the statutory land use planning system and marine planning and licensing*.

- Policy CST1 and its justification would perhaps need to be updated to ensure this important relationship is identified and understood.

Conclusion:

- Both Scottish Planning Policy and the National Marine Plan advocate an integrated approach to coastal and marine planning requiring LDPs and RMPs to take account of and complement one another and this is further reinforced in *Circular 1/2015 The relationship between the statutory land use planning system and marine planning and licensing*.
- Policy CST1 and its justification would perhaps need to be updated to ensure this important relationship is identified and understood.

Local Development Plan Policy Chapter: Housing

H1 Effective Land Supply

Policy:

Through the provision of Allocations and Sites with Development Potential the Council will seek to identify an effective land supply to meet the housing needs of Shetland for the lifetime of this Plan and beyond.

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 Plan the remainder of the site will be re-assessed and may be withdrawn.

Justification

Allocating a generous supply of land for housing in the Local Development Plan will give the flexibility necessary for the continued delivery of new housing even if unpredicted changes to the effective land supply occur during the life of the Plan. Having a variety of sites ensures that there is a range and choice of locations for residential development allocated throughout Shetland. This ensures that the requirements of the HNDA and the LHS are met.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption.

- They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full.
- They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Scottish Planning Bill 2019 – Development Plans](#)

- Will now be a 10 year Plan, so 10 year land supply of housing should be identified

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve housing on Scottish Islands (Strategic Objective 3)

[Shetland Partnership Plan 2018 – 2028](#)

- Priority for improvement No. 3 – Housing and Community

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- Thriving economy depends on – Modern Housing

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)

- Housing – 4

Housing Needs and Demand Assessment (Currently in Draft)

Local Housing Strategy (Currently being worked on)

Housing Land Audit 2019/20

- There were 60 completions. •
- 97% of completions were for new builds and 3% were for conversions.

- 44 (70%) completions were for private housing and 16 (30%) were for affordable housing.
- 114 housing units were approved. This is just below the average of 116 units over the last 5 years.
- Of the 114 units approved the greatest number of approvals was in the Lerwick and Bressay locality with 48 units.
- 8% of housing approvals have been on Sites with Development Potential. .
- 54% of housing approvals have been on an Area of Best Fit
- 38% of housing approvals were on windfall sites

Supplementary Guidance:

- No applicable SG

Development Management and Policy Lead review:

- Policy needs renewing or changed in-line with National policy

Conclusion:

- The policy needs renewing and updated in light of the changing requirements set out within the new Planning Bill
- Conversely - is the policy needed within the new Plan?

H2 Areas of Best Fit

Policy:

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.

The 8 Areas of Best Fit identified on proposals map are:

Baltasound
 Mid Yell
 Symbister
 Brae
 Aith
 Scalloway
 Lerwick
 Sandwick

Major Developments (developments in excess of 50 units or 2 hectares - as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland)

Regulations 2009, Reg 2 (1) and as included in the Schedule) 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.

Justification

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 AoBF 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

The desk study information has been refined following site visits to confirm the boundaries, considering topography and existing settlement pattern.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption.
- They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full.
- They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Scottish Planning Bill 2019 – Development Plans](#)

- Will now be a 10 year Plan, so 10 year land supply of housing should be identified

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve housing on Scottish Islands (Strategic Objective 3)

[Shetland Partnership Plan 2018 – 2028](#)

- Priority for improvement No. 3 – Housing and Community

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Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)

- Housing – 4

Housing Needs and Demand Assessment (Currently in Draft)

Local Housing Strategy (Currently being worked on)

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- 8% of housing approvals have been on Sites with Development Potential. .
- 54% of housing approvals have been on an Area of Best Fit
- 38% of housing approvals were on windfall sites

Supplementary Guidance:

- No applicable SG

Development Management and Policy Lead review:

- DM Liaison: Review of this policy depends on how areas for preferred growth are taken forwards/used (and whether they are based on the same principle), whether these/some of these would comprise constituent parts of areas of best fit.
- Also may be edited regarding as to whether there would be a settlement hierarchy.

Conclusion:

- Are areas of best fit being carried into next Plan?
- Policy needs to reflect Preferred Growth Areas identified within the Call for Sites process
- The policy needs renewing and updated in light of the changing requirements set out within the new Planning Bill

H3 All Housing Development

Policy:

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.

Justification

By establishing this order of developed priorities, the Plan aims to create vibrant and sustainable communities throughout Shetland to make the best use of existing investment and infrastructure, and to avoid the ineffectual scattering of scarce resources.

Isolated residential development in the open countryside is not sustainable as it does not strengthen or enhance existing communities and creates an excessive burden on services and the public purse.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption.
- They should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full.
- They should provide a minimum of 5 years effective land supply at all times. Beyond year 10 and up to year 20, the local development plan should provide an indication of the possible scale and location of the housing land requirement.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Scottish Planning Bill 2019 – Development Plans](#)

- Will now be a 10 year Plan, so 10 year land supply of housing should be identified

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve housing on Scottish Islands (Strategic Objective 3)

[Shetland Partnership Plan 2018 – 2028](#)

- Priority for improvement No. 3 – Housing and Community

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- Thriving economy depends on – Modern Housing

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)
Housing – 4

Housing Needs and Demand Assessment (Currently in Draft)

Local Housing Strategy (Currently being worked on)

Housing Land Audit 2019/20

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- 8% of housing approvals have been on Sites with Development Potential. .
- 54% of housing approvals have been on an Area of Best Fit
- 38% of housing approvals were on windfall sites

Supplementary Guidance:

- No applicable SG

Development Management and Policy Lead review:

- Important that we refer to isolated residential development in open countryside.
- The first paragraph is dependent on the spatial strategy, and should refer back to this for review at a later date. Undeveloped land with existing settlements is the most used category.
- Could be investigated as to whether there should be a separate specific policy covering isolated housing development.
- Potential for settlement boundaries for larger settlements.

Conclusion:

- Policy needs rewritten to prioritise new development within areas of Preferred Growth and/or areas identified and included in the new Plan through the Call for Sites.
- The policy needs renewing and updated in light of the changing requirements set out within the new Planning Bill
- Undeveloped land within existing settlements text should be included within new policy and possibly strengthened
- The terms 'isolated residential development' needs looking at and possibly removed as it's covered within H5 Siting and Design. Any policy should

allow for some flexibility for isolated development i.e. allow development complying with settlement pattern or isolated developments that should be assessed under their own merit i.e. do they complement the 'host' settlement or are the subservient to the main 'host' or adjacent settlement.

H4 Affordable Housing

Policy:

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.

Justification

Affordable housing is broadly defined as housing of reasonable quality that is affordable to people on modest incomes. It is the responsibility of this Plan to identify sufficient land for the building of affordable housing to meet the needs identified within the HNDA and the LHS. Enabling the provision of affordable housing has the potential to remove barriers to employment, supporting sustainable economic growth, and to reduce homelessness.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Local development plans should set out the housing supply target (separated into affordable and market sector) and the housing land requirement for each housing market area in the plan area up to year 10 from the expected year of adoption.
- Local development plans should clearly set out the scale and distribution of the affordable housing requirement for their area.
- Where the HNDA and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this.
- Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing. Advice on the range of possible options for provision of affordable housing is set out in PAN 2/2010.

- Planning authorities should consider the level of affordable housing contribution which is likely to be deliverable in the current economic climate, as part of a viable housing development. The level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Scottish Planning Bill 2019 – Development Plans](#)

- Will now be a 10 year Plan, so 10 year land supply of housing should be identified

[Planning Advice Note 2/2010 – Affordable Housing and Housing Land Audits](#)

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve housing on Scottish Islands (Strategic Objective 3)

[Shetland Partnership Plan 2018 – 2028](#)

- Priority for improvement No. 3 – Housing and Community

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- Thriving economy depends on – Modern Housing

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)
Housing – 4

Housing Needs and Demand Assessment (Currently in Draft)

Local Housing Strategy (Currently being worked on)

Housing Land Audit 2019/20

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- 54% of housing approvals have been on an Area of Best Fit
- 38% of housing approvals were on windfall sites

Supplementary Guidance:

- No applicable SG

Development Management and Policy Lead review:

- The first paragraph of this policy could be removed as it was seen as more of an aspiration or aim than a policy. Though, there is the potential for an aspirational percentage to be indicated in policy for housing of a size that would present the potential for the dwellings to be affordable.
- An alternative to the above could be policy around developer contributions, that a figure of 25% or below (as per Scottish Planning Policy) be deemed affordable. Also that affordable housing be seen as a Main Issue. Suggested that the Developer Contributions Report produced by JW be viewed regarding this.

Conclusion:

- This policy needs to be rewritten to meet the requirements of the new Planning Bill. Will the 25% be carried into the new Bill?
- The first paragraph of the policy should be reviewed or removed entirely, as this working partnership should happen anyway and is difficult to monitor if it doesn't happen. If a planning application came in without any working partnership beforehand, would that make the planning application contrary to this policy? There are also other mechanisms to encourage better design/partnership collaboration (QA for example), that could be attached to a stand-alone policy
- The LDP should set out strategy for affordable and private sector housing. This will need to be written into accompanying guidance via LHS

H5 Siting and Design

Policy:

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.

The proposed dwellings should not result in linear development that would cause a road safety problem that may require remedial works or would sterilise future development opportunities.

All new residential development should meet the requirements of the residential Design Policy as set out in forthcoming Supplementary Guidance.

Justification

The delivery of housing does not rely solely on the allocation of appropriate land in this Plan. Planning applications will be supported if they contribute to the sustainability, vitality and viability of existing settlements and the protection and enhancement of the landscape, natural, built and cultural heritage, biodiversity and the wider environment, including consideration of flood risk.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Planning should take every opportunity to create high quality places by taking a design-led approach
- Planning should direct the right development to the right place
- Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

[Creating Places 2013](#)

- Good design is not merely how a building looks, it is an innovative and creative process that delivers value. Design provides value by delivering good buildings and places that enhance the quality of our lives. This can be:
 - physical value – enhances a setting;

- functional value – meets and adapts to the long-term needs of all users;
- viability – provides good value for money;
- social value – develops a positive sense of identity and community; and
- environmental value - efficient and responsible use of our resources.

[Designing Streets: A Policy Statement for Scotland 2010](#)

[Planning Advice Note 67: Housing Quality](#)

[Planning Advice Note 68: Design Statements](#)

[Scottish Planning Bill 2019 – Development Plans](#)

- Will now be a 10 year Plan, so 10 year land supply of housing should be identified

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve housing on Scottish Islands (Strategic Objective 3)

[Shetland Partnership Plan 2018 – 2028](#)

- Priority for improvement No. 3 – Housing and Community

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- Thriving economy depends on – Modern Housing

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)
Housing – 4

Housing Needs and Demand Assessment (Currently in Draft)

Local Housing Strategy (Currently being worked on)

[Shetland Islands Council: Placemaking Guidance](#)

- Outlines the 6 key qualities that make successful places, including guidance on the siting of housing and urban/rural house site assessment

Supplementary Guidance:

- No applicable SG – A new guidance document on house design should be considered, to supplement Placemaking doc.

Development Management and Policy Lead review:

- This policy works well and gives colleagues the required flexibility in determining applications.
- In looking the statement of grouping of 2+ buildings of 'domestic scale' that this statement was primarily related to visual impact.
- Also that settlement pattern may be more influenced by placemaking.
- Emphasised that the roads element is only in regard to safety.
- The justification needs the addition of a paragraph in respect of design.
- The preference would be for a combined Siting & Design policy, as should the latter be specified in policy alone, that it could be seen as prescriptive. Though it was raised that there could be a separate design and placemaking policy were this to happen.

Conclusion:

- Overall this policy works and is the policy that discusses compliance with settlement patterns
- The policy should be updated and minor changes in terms of 'domestic scale'
- This policy could do with an additional guidance on house design – a refreshed 'Shetland House'. This house design document could add flesh to the bones of the Placemaking document (that sets out the overall site assessment principles). The two should be read together when siting and designing houses. The document could highlight material choice/colours etc.
- Policy should also include connectivity and health benefits of good access through urban spaces

H6 Amenity Space in Housing Developments

Policy:

All new residential development should provide an appropriate amount of private amenity space.

New residential development proposals of 20 dwellings or more should incorporate a minimum of 0.12 acres (0.05ha.) of informal communal space.

Developments that result in a significant loss of outdoor privacy of existing residents will not be permitted.

In making provision for open space in developments opportunities should, where appropriate, be taken to landscape areas in order to promote and enhance local

biodiversity and encourage active lifestyles, recognising the health benefits of both.

Justification

All housing developments require the provision of some open garden space to locate washing lines, refuse bins, storage for bicycles, etc and for occupants to have the opportunity to enjoy and benefit from outdoor space close to their home.

The provision of community space or amenity areas is important in residential developments as it provides a formal outdoor space for the residents' enjoyment. Examples include: allotments, seating areas, children's play areas and planted areas. Such spaces are particularly important in high-density developments where private gardens are limited.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Planning should take every opportunity to create high quality places by taking a design-led approach
- Planning should direct the right development to the right place
- Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
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- Good design is not merely how a building looks, it is an innovative and creative process that delivers value. Design provides value by delivering good buildings and places that enhance the quality of our lives. This can be:
 - physical value – enhances a setting;
 - functional value – meets and adapts to the long-term needs of all users;
 - viability – provides good value for money;
 - social value – develops a positive sense of identity and community; and
 - environmental value - efficient and responsible use of our resources

[Planning Advice Note 67: Housing Quality](#)

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To improve housing on Scottish Islands (Strategic Objective 3)

[Shetland Partnership Plan 2018 – 2028](#)

- Priority for improvement No. 3 – Housing and Community

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- Thriving economy depends on – Modern Housing

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)
Housing – 4

Housing Needs and Demand Assessment (Currently in Draft)

Local Housing Strategy (Currently being worked on)

[Shetland Islands Council: Placemaking Guidance](#)

- Outlines the 6 key qualities that make successful places, including guidance on the siting of housing and urban/rural house site assessment

Supplementary Guidance:

- No applicable SG – A new guidance document on house design should be considered, to supplement Placemaking doc.

Development Management and Policy Lead review:

- First sentence – this needs to not be determined specifically (eg. By minimum area), as if this would be the case, the policy would not work for all development (eg. for flats etc) and therefore it is more appropriate to specify only for larger development (second sentence).
- There is the potential for the number of dwellings specified to be reduced to a lower figure (eg. 10). Potential for inclusion of open space, green infrastructure and accessibility content (suggested that Outdoor Access also provide input in respect of this policy) – suggested that national guidance is checked regarding these factors/potential policy areas for inclusion.

- As a related but separate note to H6 – it was stated that there is nothing in the Plan in respect of connectivity for development (and not just for housing)
- Outdoor Access Input: Regarding H6:
The basis for the figure in H6's second statement was discussed, as to whether this was based on any stipulation in national policy or guidance. It appears that the 0.12 acres per 20 dwellings figure is based on the 'Six Acre Standard', outlined Fields in Trust in advice to land use planners. This states that for every 1000 residents six acres outdoor play space is to be provided (noted that this is not the only form of open space, but that specified by Fields in Trust). 0.12 acres for 20 dwellings follows this ratio on the basis that one dwelling equals one resident.
- The potential for interconnectivity being incorporated into H6 was discussed, but it was uncertain as to how this would be achieved.
- It was felt that green infrastructure was not directly applicable to H6 to the point where it may be feature in any future policy, that it referred more to ecosystems and ecological/biodiversity benefit. A definition of Green Infrastructure as stated in the Scottish Government Report Green infrastructure: design and placemaking (2011) (see Appendix 2 at the end of this table). Green Infrastructure should be multi- functional. Ecological / Biodiversity in only one element of green infrastructure there are others such as access and open space that have equal importance and need to be included. Should there be a stand-alone green infrastructure policy?
- The definition of 'amenity space' was discussed, as to whether there was a Scottish Government definition of the term. Though none could be found for 'amenity space' specifically, definitions of open space, amenity greenspace, green corridors, civic space (all PAN65) and again open space (SPP) were identified (definitions in full in Appendix 1 at the end of this table).

Conclusion:

- Policy needs a refresh, to include updated guidance and measurements/numbers etc
- Is there a hard and fast prescriptive need to ask for amenity space in terms of garden grounds, when on average, sites in Shetland are above average in terms of provision of amenity space
- Can this amenity space provision be included in a design guide?
- If the policy is to be kept, then possibly minor changes in terms of overall amenity space size (check to see if this is still relevant and check source)
- Is 'significant loss of outdoor privacy' difficult to assess – should this be reworded?
- Is open space covered in the separate policy, and should the open space policy be updated to include outdoor access/civic space in-line with updated guidance and policy
- Can we lower the number of houses stated in the policy?

H7 Residential Caravans and other Temporary Residential Structures

Policy:

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.

Justification

Residential caravans are residential units and will be treated in the same way as applications for new dwellings. The climate in Shetland is harsh and temporary structures have a limited useful life. Granting permission for a limited period with restoration conditions will ensure that units are removed and sites restored before they can become derelict.

No specific nation policies on temporary caravans and temporary residential structures

Applicable Policies and Strategies:

No specific policy – siting and design guidance applies

Supplementary Guidance:

- No applicable SG

Development Management and Policy Lead review:

- No issues raised – it was felt that the policy works well and should be retained

Conclusion:

- No change – policy works well

H8 Uninhabited Islands

Policy:

The Council will not support the re-population of, or the creation of new dwellings on, uninhabited islands.

Justification

The Council’s strategy encourages development on the presently inhabited islands, spending considerable sums of money on services supporting these communities. The Council will not support the re-population of any of the other 80 or so uninhabited islands throughout Shetland because it is contrary to the Plan’s vision and spatial strategy; and also the general policies set out in GP1-3.

Planning applications for the creation of new dwellings on uninhabited islands will be refused.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

No specific policy – siting and design guidance applies

Supplementary Guidance:

- No applicable SG

Development Management and Policy Lead review:

- No issues raised – it was felt that the policy works well and should be retained

Conclusion:

- No change – policy works well

ED1 Support for Business and Industry

Policy:

The Council encourages the creation of sustainable economic development opportunities and business developments in accordance with General Policies (GP1, GP2, and GP3). Areas for business and industrial uses have been identified through the 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.

Justification

The Plan has a key role to play in facilitating opportunities for sustainable economic growth in order to contribute to robust, thriving and diverse communities. By promoting and encouraging development opportunities, whilst protecting and enhancing Shetland's unique natural and historic environment the need and desire for sustainable economic development across Shetland is supported.

Scottish Planning Policy highlights the importance of sustainable economic growth and diverse economies in rural areas.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Plans should align with relevant local economic strategies
- Should help meet the needs of indigenous firms and inward investors
- Help align with key sectors for Scotland with particular opportunities for growth, including
 - Energy
 - Life sciences, universities and the creative industries
 - Tourism and the food and drink sector
 - Financial and business services
- Plans should encourage opportunities for home-working, live-works units, micro-businesses and community hubs
- Plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of regional and local visitor economies
- Plans should allocate a range of sites for business with market demand, location size, quality and infrastructure requirements in mind and also accessibility.
- The allocation of business and industry sites should be informed by relevant economic strategies and business and land audits (classes 4, 5 and 6)

- Business land audits should be undertaken regularly by local authorities to inform reviews of development plans
- Plans should locate development which generates significant freight movements, such as manufacturing, processing, distribution and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network
- Planning authorities should consider the potential to promote opportunities for tourism and recreation facilities in their development plans. This may include new developments or the enhancement of existing facilities.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- To enable and promote the ideal conditions for growth and to support our businesses, residents and communities
- Encourage growth, development and diversification in the private sector
- Improve economic participation in local communities
- Improve the attractiveness of Shetland as a place to live, work, study, visit and invest

[Shetland Partnership Plan 2018 – 2028](#)

- People will be accessing employment, education, training and services in innovative ways to minimise barriers
- Attracting and retaining the people needed to sustain our economy, communities and services
- All areas benefiting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development
- Communities will be actively involved in shaping their own future resilience, creating positive places that are economically, socially and environmentally sustainable

[Highland and Islands Enterprise Key Statistics](#)

Highland and Islands Enterprise Industrial Sites and Premises Demand Assessment in Shetland

- There is a need to identify and promote sites that are readily available and could accommodate small scale industrial developments

- Businesses approached definitely believe that issues with premises are a major constraint on the growth and development of the business
- Small businesses have been experiencing difficulty in finding information about suitable premises or sites, yet in theory there would appear to be at least around 2 hectares of land available for smaller developments in Lerwick plus a number of smaller sites around Shetland.
- Currently demand for new industrial space is at a low level which contrasts with a very high level two years ago. There are wide fluctuations in demand depending on what is happening in the economy especially with the oil and gas industry. (as of 2016)
- Demand is low across all sectors and for new business start ups (as of 2016)

Supplementary Guidance:

- Business and Industry (Draft)
 - SG identifies industrial sites as submitted via the call for sites process and town centre and edge of town centre – this needs to be added to the SG or sites identified within the plan
 - SG should be updated in line with the Lerwick Town Centre Health Check and redefinition of retail/commercial areas.
 - Map should be included showing town centre; shopping and retail area; mixed use area; town edge area.

Development Management and Policy Lead review:

- It was felt that more explanation was needed for the policy ED2's justification regarding settlements.
- There was discussion regarding that makes a settlement and rural diversification.
- It would be good to have a hierarchy of where development should be, SWDP, windfall etc.

Conclusion:

- Policy should be in line with SPP and that of the Economic Development Strategy in terms of promoting business and industry and stronger, sustainable communities
- Policy needs updating within its justification regarding settlement and their definition and also what would be acceptable in terms of rural diversification
- The policy could outline business developments within settlement (i.e. business and industrial allocations; mixed use allocations; and elsewhere)

- The policy could outline developments in the countryside (redevelopment of brownfield sites or buildings, or new business developments where the business doesn't need to be within industrial estates.
- Small businesses have been experiencing difficulty in finding information about suitable premises or sites – so more clarity within the SG or guidance identifying sites
- Possible need for serviced small business sites
- There is a need to identify and promote sites that are readily available and could accommodate small scale industrial developments
- More protection for existing industrial estates?

ED2 Commercial and Business Developments

Policy:

The Council will support proposals for retail and commercial and business developments that promote employment opportunities, community benefits, rural diversification and tourism related ventures and contribute to the viability of existing settlements where they comply with General Policies (GP1, GP2, and GP3) and do not conflict with residential amenity.

Justification

Throughout Shetland commercial and business developments, including rural shops and post offices, play a crucial role in maintaining existing settlements and facilitating them to thrive as viable communities.

In supporting rural enterprises the Plan seeks to strengthen rural communities by enabling rural businesses to flourish. By providing accessible services to all this will help to diversify and sustain the rural economy, and retain the rural population,

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Plans should align with relevant local economic strategies
- Should help meet the needs of indigenous firms and inward investors
- Help align with key sectors for Scotland with particular opportunities for growth, including
 - Energy
 - Life sciences, universities and the creative industries
 - Tourism and the food and drink sector
 - Financial and business services
- Plans should encourage opportunities for home-working, live-works units, micro-businesses and community hubs
- Plans should be informed by the Tourism Development Framework for Scotland in order to maximise the sustainable growth of regional and local visitor economies

- Plans should allocate a range of sites for business with market demand, location size, quality and infrastructure requirements in mind and also accessibility.
- The allocation of business and industry sites should be informed by relevant economic strategies and business and land audits (classes 4, 5 and 6)
- Business land audits should be undertaken regularly by local authorities to inform reviews of development plans
- Plans should locate development which generates significant freight movements, such as manufacturing, processing, distribution and warehousing, on sites accessible to suitable railheads or harbours or the strategic road network
- Planning authorities should consider the potential to promote opportunities for tourism and recreation facilities in their development plans. This may include new developments or the enhancement of existing facilities.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions
- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[Shetland Partnership Plan 2018 – 2028](#)

- Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges.

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- To enable and promote the ideal conditions for growth and to support our businesses, residents and communities
- Encourage growth, development and diversification in the private sector
- Improve economic participation in local communities
- Improve the attractiveness of Shetland as a place to live, work, study, visit and invest

[Shetland Partnership Plan 2018 – 2028](#)

- People will be accessing employment, education, training and services in innovative ways to minimise barriers
- Attracting and retaining the people needed to sustain our economy, communities and services
- All areas benefiting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development

- Communities will be actively involved in shaping their own future resilience, creating positive places that are economically, socially and environmentally sustainable

Highland and Islands Enterprise Key Statistics

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- There is a need to identify and promote sites that are readily available and could accommodate small scale industrial developments
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- Currently demand for new industrial space is at a low level which contrasts with a very high level two years ago. There are wide fluctuations in demand depending on what is happening in the economy especially with the oil and gas industry. (as of 2016)
- Demand is low across all sectors and for new business start ups (as of 2016)

Supplementary Guidance:

- Business and Industry (Draft)
 - SG identifies industrial sites as submitted via the call for sites process and town centre and edge of town centre – this needs to be added to the SG or sites identified within the plan
 - SG should be updated in line with the Lerwick Town Centre Health Check and redefinition of retail/commercial areas.
 - Map should be included showing town centre; shopping and retail area; mixed use area; town edge area.

Development Management and Policy Lead review:

- It was felt that more explanation was needed for the policy ED2's justification regarding settlements.
- There was discussion regarding that makes a settlement and rural diversification.
- It would be good to have a hierarchy of where development should be, SWDP, windfall etc.

Conclusion:

- Policy should be in line with SPP and that of the Economic Development Strategy in terms of promoting business and industry and stronger, sustainable communities
- Policy needs updating within its justification regarding settlement and their definition and also what would be acceptable in terms of rural diversification
- The policy could outline business developments within settlement (i.e. business and industrial allocations; mixed use allocations; and elsewhere)
- The policy could outline developments in the countryside (redevelopment of brownfield sites or buildings, or new business developments where the business doesn't need to be within industrial estates.
- Small businesses have been experiencing difficulty in finding information about suitable premises or sites – so more clarity within the SG or guidance identifying sites
- Possible need for serviced small business sites
- There is a need to identify and promote sites that are readily available and could accommodate small scale industrial developments

ED3 Lerwick Town Centre

Policy:

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.

Justification

Lerwick town centre lies within a Conservation Area and provides an important function as a cultural and administrative centre for Shetland. Therefore it is essential that the town centre is maintained, promoted as a centre for tourism and developed to meet the needs of the community today and into the future.

In line with Scottish Planning Policy actions that encourage improvements and strengthen the distinctive quality of the Lerwick town centre will be supported.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Plans should identify as town centres those centres which display:
 - a diverse mix of uses, including shopping;

- a high level of accessibility;
- qualities of character and identity which create a sense of place and further the well-being of communities;
- wider economic and social activity during the day and in the evening; and
- integration with residential areas.
- Local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check. It will be used to inform development plans and decisions on planning applications. Health checks should be regularly updated, to monitor town centre performance, preferably every two years.
- The spatial elements of town centre strategies should be included in the development plan or supplementary guidance.
- Plans should include policies to support an appropriate mix of uses in town centres, local centres and high streets. Where a town centre strategy indicates that further provision of particular activities would undermine the character and amenity of centres or the well-being of communities, plans should include policies to prevent such over-provision and clustering.
- Development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall This requires that locations are considered in the following order of preference:
 - town centres (including city centres and local centres);
 - edge of town centre;
 - other commercial centres identified in the development plan; and
 - out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes
- Planning authorities, developers, owners and occupiers should be flexible and realistic in applying the sequential approach, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they are intended to serve.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[Shetland Islands Council Economic Development Strategy 2018 – 2022](#)

- To enable and promote the ideal conditions for growth and to support our businesses, residents and communities

- Encourage growth, development and diversification in the private sector
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[Shetland Partnership Plan 2018 – 2028](#)

- Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges.

[Lerwick Town Centre Health Check 2018](#)

[Town Centre Living: A Caring Place – A&DS March 2019](#)

Supplementary Guidance:

- Supplementary Guidance – Lerwick Town Centre outlines priorities for the town centre and provides detailed guidance on town centre developments.
- The spatial elements of town centre strategies should be included in the development plan or supplementary guidance.

Development Management and Policy Lead review:

- No comments specific to Lerwick Town Centre

Conclusion:

- Policy needs updating with a quick refresh of the Town Centre Health Check.

Local Development Plan Policy Chapter: Transport

TRANS1 Integrated Transport

Policy:

The relationship between transport and land use strongly influences the pattern of development. The Shetland Local Development Plan and the Shetland Transport Strategy prepared by ZetTrans, Shetland’s Regional Transport Partnership in association with external agencies, operators and providers should integrate different modes of transport to support sustainable economic growth and improve access to jobs and training, improve social inclusion and well-being and develop healthy communities.

The Council will support proposals that;

1. sustain and develop 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 and flexible public transport usage;
6. develop facilities for walking and cycling as an alternative and healthy 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 policy framework set out in *Designing Streets* and the six qualities of successful places as set out in *Designing Places* ;
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, inclusion and integration;
10. improve and enhance access to Lerwick town centre and other existing settlements by all forms of transport;

Justification

The development of an efficient and integrated transport system is essential to meet the long-term social, economic and environmental needs of Shetland. Transport is vital to enabling access to jobs and training, services and other opportunities, such as sport, leisure and community groups. The development of successful places depends on connectivity; the relationship between movement and land use is a key factor. The creation of new and the protection of existing footpaths, Core Paths and other routes in and around settlements are essential for providing safe access between residential areas, community facilities and public transport routes and assist in ensuring Shetland's communities are healthy, by

promoting physical activity. Further guidance regarding Core Paths will be contained in the forthcoming Supplementary Guidance – Open Space

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

The planning system should support patterns of development which:

- optimise the use of existing infrastructure;
 - reduce the need to travel;
 - provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport;
 - enable the integration of transport modes; and
 - facilitate freight movement by rail or water.
-
- Plans should support developments in locations where there is accessible access to local amenities by walking, cycling and public transport.
 - Development Plans should take account of the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[Shetland Partnership Plan 2018 – 2028](#)

- Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges.

[Shetland Transport Strategy Refresh 2018-2028](#)

- Vision: To develop travel and transport solutions for Shetland that underpin our Economy, support our Communities and conserve our Environment
- 2028 Outcome: By 2028, fewer Shetland residents will feel there is a need to improve public transport in the islands. ZetTrans will seek to establish a similar outcome for freight transport.

[Designing Streets: A Policy Statement for Scotland 2010](#)

- Street design must consider place before movement.
- Street design guidance, as set out in this document, can be a material consideration in determining planning applications and appeals.

- Street design should meet the six qualities of successful places, as set out in Designing Places.
- Street design should be based on balanced decision-making and must adopt a multidisciplinary collaborative approach.
- Street design should run planning permission and Road Construction Consent (RCC) processes in parallel.

Supplementary Guidance:

- Placemaking Supplementary guidance
Sets out 6 key qualities set by Scottish Government into a local perspective:
 1. Distinctive;
 2. Sage & pleasant;
 3. Easy to move around;
 4. Welcoming;
 5. Adaptable; and
 6. Resource efficient

Development Management and Policy Lead review:

- Update justification text to mention ‘current’ Scottish Government policy documents such as Creating Places etc.
- Road improvements and protection of road networks should be identified and afforded protection within the Plan. These areas should be formally submitted by Road Services and other agencies where applicable.
- Needs more definition for protection of the public road “The Council shall not support development which compromises road/transport/path networks or future planned networks”.
- More map-based identification of future improvements
- Plan needs to define where decentralisation is i.e. from Lerwick or decentralisation to areas of best fit.

Conclusion:

- Majority of the policy doesn’t need to change as it’s in line with Scottish Planning Policy apart from taking account of planned proposed or committed transport projects as there is no capital programme setting our road upgrades. Work needs to be taken to try and identify these areas so they can be protected in the plan.
- Add in reference to Creating Places and Designing Streets regarding design to the policy justification.
- Definition to be included regarding reference to decentralisation – is the decentralisation from Lerwick?

TRANS2 Inter-Island Links

Policy:

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 will not be permitted.

Justification

It is important to ensure the scope for expansion of travel facilities and to consider the effect of proposed development on the present and future operation of the inter-island transport network. Air and ferry services require associated operational land and safe approach routes. The possibility of future expansion of air and ferry services or the installation of related new facilities must be borne in mind when considering developments in the surrounding areas. Consultation areas around ferry terminals are shown on the locality maps. Applications for planning permission within these areas will be considered on their own merit in the light of proposals for terminal improvement and expansion. Developments that could prejudice a transport route, and access to it, or its operation will not be permitted. Health and Safety Executive, and Civil Aviation Authority exclusion and safeguarding zones already restrict development at many of Shetland's piers and airports.

Consideration is being given to the replacement of one or more of the ferry services with fixed links. Until such time as the fixed links may be constructed, the Shetland Islands Council inter island ferry service will continue to be seen as the main lifeline link to the isles. Land reserved for the potential development of a fixed link between Lerwick and Bressay is shown on the Lerwick locality Proposals Map.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

Development plans should take account of the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.

Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[Shetland Transport Strategy Refresh 2018-2028](#)

STRATEGIC OBJECTIVE 1

To underpin Shetland's economy by enabling residents to access employment, training and leisure, businesses to access labour markets, customers and suppliers, and non-residents to visit

STRATEGIC OBJECTIVE 2

To support Shetland's communities by enabling individuals, families and localities to thrive socially, physically and economically

[National Transport Strategy \(NTS2\) - Delivery Plan – 2020 to 2022](#)

- promote economic growth by building, enhancing managing and maintaining transport services, infrastructure and networks to maximise their efficiency;
- promote social inclusion by connecting remote and disadvantaged

Supplementary Guidance:

None

Development Management and Policy Lead review:

- Fixed link corridors and more defined maps showing fixed link corridors. The current safeguarding map covers all of the Gremista etc industrial area and is not accurate or necessary.
- More definition and corridors on plans
-

Conclusion:

- No change required for policy.
- Updated and more defined maps required to show safeguarded areas.
- More information regarding fixed links needed.

TRANS3 Access and Parking Standards

Policy:

All developments should provide:

- A safe and adequate access, visibility splay and turning area in accordance with the standards set out in Supplementary Guidance – Residential Access
- Adequate car parking and service facilities in accordance with the Council's current standards, which are set out in Supplementary Guidance – Parking Standards.

Justification

Safe access, appropriate and adequate vehicular circulation and parking are essential for good development and the creation of safe and successful places. Details of standards and requirements for access, circulation and vehicle parking are contained in Supplementary Guidance – Parking Standards and Residential Access.

Scottish Planning Policy 2014 Requirements for Development Plans:

Summary of policy:

National maximum parking standards for certain types and scales of development have been set to promote consistency (see Annex B: Parking Policies and Standards). Where an area is well served by sustainable transport modes, planning authorities may set more restrictive standards, and where public transport provision is limited, planning authorities may set less restrictive standards. Local authorities should also take account of relevant town centre strategies when considering appropriate parking provision (see paragraphs 64-65 and Annex A: Town Centre Health Checks and Strategies).

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Applicable Policies and Strategies:

[Designing Streets: A Policy Statement for Scotland 2010](#)

[National Roads Development Guide Variations for Shetland Islands Council Area](#)

- Sets out the parking standards for Shetland in line with the National guidance.

Supplementary Guidance:

- Draft Residential Access
- Draft Parking Standards

Development Management and Policy Lead review:

- Text that state safe and adequate to be redefined as safe and convenient in line with Road Services' guidance and terminology.
- Hook policy into SG.
- Update justification to highlight existence of Roads' adopted access/parking guidance.

Conclusion:

- Policy Trans3 directs people to the supplementary guidance's for Parking Standards and Residential Access, however these have both been superseded by the NRDG – Shetland local variation. Therefore the policy can be updated to refer people to that NRDG instead of the Supplementary Guidance's.

Local Development Plan Policy Use: Renewable Energy

RE1 Renewable Energy

Policy:

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.

All proposals for renewable energy developments will be assessed with consideration of their cumulative impacts.

Further detailed guidance on renewable developments is provided in Supplementary Guidance.

Justification

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.

This policy and related guidance supports and facilitates the alternative generation of energy whilst safeguarding Shetland's unique natural and historic environment.

Renewable energy developments can provide a sustainable opportunity for diversification within the Shetland economy.

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.

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.

Supplementary Guidance identifies broad areas of search illustrating areas where there are no known significant constraints to large scale windfarm developments. It will also give detailed guidance on renewable energy.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- NPF 3 has a clear vision that Scotland will seize the opportunities arising from its ambition to be a world leader in low carbon energy generation, both onshore and offshore.
- NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the Scottish Government's Report on Proposals and Policies. SPP's spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector.
- Efficient supply of low carbon and low cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. Renewable energy also presents a significant opportunity for associated development, investment and growth of the supply chain, particularly for ports and harbours identified in the National Renewables Infrastructure Plan. Communities can also gain new opportunities from increased local ownership and associated benefits.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Scottish Government Renewable Energy and Low Carbon Energy](#)

- Renewable and low carbon energy will provide the foundation of our future energy system, offering Scotland a huge opportunity for economic and industrial growth.
- By 2030 we aim to generate 50% of Scotland's overall energy consumption from renewable sources, and by 2050 we aim to have decarbonised our energy system almost completely.
- The Scottish Government remains committed to onshore wind as the lowest-cost new-build electricity generation in the UK
- The Scottish Government are increasing large scale renewable electricity generation in Scotland via the Renewables Obligation Scotland (ROS).

[Climate Change \(Scotland\) Act 2009](#)

[Climate Change \(Emissions Reduction Targets\) \(Scotland\) Bill](#)

<https://www.gov.scot/policies/renewable-and-low-carbon-energy/>

<https://www.gov.scot/publications/onshore-wind-policy-statement-9781788515283/>

Applicable Policies and Strategies:

Shetland Partnership Plan 2018 – 2028

- Carbon emissions in Shetland are 73% higher than the Scottish average

Shetland Islands Council Economic Development Strategy 2018 – 2022

- Innovation is one of Shetland’s key strengths, and advances in renewable energy and telecommunications have brought substantial benefits to local communities
- Priority: Increase the pace of innovation and the adoption of new technology – we will reduce dependence on fossil fuels and increase installed renewable energy sources
- 2009 landscape capacity study (this is our main source of expertise in terms of landscape sensitivity and turbine capacity information). The Study needs updating.

Supplementary Guidance:

- Onshore Wind Energy (Adopted February 2018)

Development Management and Policy Lead review:

- Check wording regarding sustainability. It was discussed that smaller scale should be referenced. A glossary and definitions of renewable energy should be added. All renewable energies should be added in to the policy.

Conclusion:

- The SG is relatively new in terms of adoption

More emphasis on renewable energy provision from National level than when the last plan was developed. Scottish Government placing more emphasis on the planning service to help deliver its carbon objectives in-line with its Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero

- The current plan only has one Renewable Energy policy (RE1 Renewable Energy) with further policies (DC1 – DC7) contained within the adopted SG
- Does the SG/Policies need updating in terms of cumulative impact in light of the current onshore farms being proposed?

- The current landscape and visual impact guidance is now 10 years old, and a lot has move on from when the surveys were conducted. This document is a key piece of guidance when assessing onshore wind energy projects, and requires updating
- The main hook policy within the new plan will need updating to better reflect the emerging NPF/SPP and the Scottish Government’s renewed policies/objectives on onshore and offshore renewable energy.
- Proliferation of large onshore wind farms may be an issue that could be included within the MIR - the landscape capacity and impact on existing uses being issues to be covered within the MIR.

Local Development Plan Policy Chapter: Minerals

M1 Minerals Policy

Policy:

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.

Justification

An adequate and steady supply of minerals is essential to support sustainable economic growth. The minerals industry provides raw material for construction, manufacturing, agriculture and other sectors. Continuity of supply to meet demand depends on the availability of land with workable deposits having planning permission for extraction. Detailed policies relating to the safeguarding and extraction of Shetlands aggregate sources and mineral deposits will be detailed in Supplementary Guidance – Minerals.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Scottish Planning Policy (SPP) paragraph 234 emphasises that minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. It also states that planning should safeguard mineral resources and facilitate their responsible use.
- SPP paragraph 235 outlines policy principles including recognising the national benefit of indigenous oil and gas production in maintaining a

diverse energy mix and improving energy security, safeguard workable resources and ensuring that an adequate and steady supply is available to meet the needs of construction, energy and other sectors. Paragraph 235 also states that the planning system should minimise the impacts of extraction on local communities, the environment, built heritage and natural heritage; while also securing the sustainable restoration of sites to beneficial after use.

- Paragraph 237 states that Local Development Plans should safeguard all workable mineral resources which are of economic or conservation value (ensuring they are not sterilised by other development) and that Plans should set out the factors that specific proposals will need to address (listing factors for inclusion).
- Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas through the identification of areas of search (paragraph 238).
- SPP paragraph 241 states that policies should protect areas of peatland and only permit commercial extraction in areas suffering historic, significant damage through human activity and where the conservation value is low and restoration is impossible.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[Planning Advice Note 50: controlling the environmental effects of surface mineral workings](#) (October 1996).

[Planning Advice Note 64: reclamation of surface mineral workings](#) (December 2002).

Shetland Islands Council: Our Plan 2016 to 2020:

- Economy and Housing: *'We will have an economy that promotes enterprise and is based on making full use of local resources, skills and a desire to investigate new commercial ideas'* (p. 9).

[Shetland Partnership Plan 2018 – 2028](#)

- Priority: Place *'We have a strong local economy which is reliant on a number of key sectors which in turn are reliant on our natural resources'* (p. 9).

- *'Communities will be actively involved in shaping their own future resilience, creating positive places that are economically, socially and environmentally sustainable'* (p. 9).

[Interim Planning Policy: Minerals document](#) (adopted 12 December 2009).

Supplementary Guidance:

- No Supplementary Guidance documents directly relate to national and local minerals planning matters.

Development Management SG Review

- Though there is no specific supplementary guidance document that applies to minerals development, there is a retained Interim Planning Policy: Minerals document. A review of the Interim Policy Document has been conducted, using the same methodology as that used for Supplementary Guidance.
- In summary, while it was stated by officers that the content of the Interim Policy document has not given rise to any major issues, the document is out of date in places and some of the content requires removal, revision or expansion. As the document contains 25 policies (3 strategic policies and 22 detailed policies) these are not listed in this report for brevity. However, the future approach these policies, whether they continue as an updated separate document or are incorporated (partially or wholly) with minerals policy within the next LDP needs to be considered.

Development Management and Policy Lead review:

- It was stated that the principle of the policy is good and works well. It was suggested that restoration bonds should be added to the policy and more details be sought on reinstatement plans.
- It was discussed and thought that a restoration/decommissioning policy would be a good addition.

Conclusion:

- Though it is stated that this policy works well when it is (infrequently) used within its specific remit of minerals development, there is the potential for the addition of additional policy detail in the LDP relating to minerals planning matters.
- To bring minerals policy in line with SPP content review should work towards meeting the requirements stated in paragraphs 237 (factors that proposals need to address), 238 (maintenance of a landbank) and 241 (peatland protection).
- Potential additional minerals policy areas relate to restoration bonds, reinstatement plans and restoration/decommissioning.
- In reviewing minerals policy in the current LDP, a view needs to be taken on the role of the current Interim Minerals Policy document and whether

specialist minerals policies should continue to be detailed in a separate document.

Local Development Plan Policy Use: Waste

W1 Waste Hierarchy

Policy:

The Council will support proposals for waste management facilities that fulfil the requirements of national and local waste strategies, or plans, and take account of the waste hierarchy recognising the difficulties of remote geographical localities, transportation costs and the impact this has on the potential to recycle low-value materials.

Justification

The Scottish Government has adopted Zero Waste as its goal. This means eliminating the unnecessary use of raw materials, sustainable design, resource efficiency and waste prevention, reusing products wherever possible, and recovering value from products when they reach the end of their lives either through recycling, composting or energy recovery, in accordance with the waste hierarchy. Additionally, waste should be dealt with as close as possible to where it is produced.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- In dealing with overall outcomes (how planning can make a difference) Paragraph 19 of Scottish Planning Policy (SPP) states that planning can (along with working towards reducing greenhouse gas emissions) influence people's choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste.
- Relating to sustainability, paragraph 29 of SPP states that policies and decisions should be guided by a series of principles, one of which being reducing waste, facilitating its management and promoting resource recovery.
- Regarding planning for zero waste specifically, paragraph 178 states that plans should give effect to the aims of the Zero Waste Plan and promote the waste hierarchy.
- SPP states (in paragraph 180) that Plans should enable investment opportunities in a range of technologies and industries to maximise the value of secondary resources and waste to the economy (in stating this SPP goes on to list a number of facility types). The paragraph also states that, in line with the waste hierarchy, particular attention should be given to

encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products.

- As part of paragraph 182 of SPP it is stated that the planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to protect the environment and public health.

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Applicable Policies and Strategies:

[European Union Directive 2008/98/EC on waste \(Waste Framework Directive\).](#)

[Scottish Government Planning and Waste Management Advice Note \(updated July 2015\)](#)

[Scottish Government's Zero Waste Plan \(June 2010\).](#)

[Orkney and Shetland Area Waste Plan \(March 2003\).](#)

[Making Things Last A Circular Economy Strategy for Scotland \(February 2016\).](#)

[Shetland Partnership Plan 2018 – 2028](#)

- *'All areas of Shetland will be benefitting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development' (p.9).*

Shetland Islands Council: Our Plan 2016 to 2020:

- *'We will have reduced the effect we have on the local environment, particularly reducing carbon emissions from our work and buildings' (p. 13).*

Supplementary Guidance:

- None directly relate to national and local waste planning matters.

Development Management and Policy Lead review:

- Through the review it was stated that all the waste policies (including W1) work well, that all policies are relevant and when needed are used.

- It was noted in the review that there is a conflict between national policies regarding recycling and landfills, compared to local policies and practices with the incinerator.

Conclusion:

- This policy is still relevant and reflects the stipulations for Development Planning in SPP.
- Though the policy is rarely used it follows direction by European and National level directives and policy.
- Development Management Officers have not identified any issues in the implementation of this policy.
- Therefore no change is required in respect of this policy.

W2 Waste Management Facilities

Policy:

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 be supported 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.

Justification

Modern waste management infrastructure is designed and regulated to high standards and is similar to other industrial processes.

At present, Shetland exports some special waste for treatment and disposal on the British mainland. Waste that is not appropriate to be pre-treated in Shetland may have to be sent to specialised facilities on the British mainland.

Proposals for special waste sites will be judged in accordance with the Shetland Waste Plan and Scotland's Zero Waste Plan. In exceptional circumstances, such as an industrial or shipping accident or the spread of disease in livestock, it may be necessary to set up special facilities for waste treatment and disposal outside

the notified areas. Information on the location of existing waste management sites is available from SEPA's website at www.sepa.org.uk

Shetland's proximity to, and links with, the oil and gas industry place it in an ideal position to service its waste disposal requirements. North Sea oil-decommissioning has the potential to generate important employment opportunities in Shetland. The decommissioning industry has a need for the disposal of certain low-level radioactive wastes that do not have any resource value; NORM will need to be disposed of at appropriate waste management sites

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Paragraph 182 states that the planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies.
- That plans should safeguard existing waste management installations and ensure that the allocation of land on adjacent sites does not compromise waste handling operations (paragraph 184).
- Regarding sites for new waste infrastructure, paragraph 186 details how Local Development Plans should identify appropriate locations for new infrastructure, allocating specific sites where possible and providing a policy framework which facilitates delivery.
- Paragraph 191 advises that planning authorities should consider the need for buffer zones between dwellings or other sensitive receptors and some waste management facilities. This section of SPP also contains guideline appropriate buffer zone distances.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Applicable Policies and Strategies:](#)

[European Union Directive 2008/98/EC on waste \(Waste Framework Directive\).](#)

[Scottish Government Planning and Waste Management Advice Note \(updated July 2015\)](#)

[Scottish Government's Zero Waste Plan \(June 2010\).](#)

[Orkney and Shetland Area Waste Plan \(March 2003\).](#)

[Making Things Last A Circular Economy Strategy for Scotland \(February 2016\).](#)

[Shetland Partnership Plan 2018 – 2028](#)

- *'All areas of Shetland will be benefitting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development'* (p.9).

Shetland Islands Council: Our Plan 2016 to 2020:

- *'We will have an economy that promotes enterprise and is based on making full use of local resources, skills and a desire to investigate new commercial ideas'* (p. 9).
- *'We will have a culture of helping new businesses to start up and businesses to grow, as well as having a thriving 'social enterprise sector' of businesses that give something back to the community'* (p. 9).

Supplementary Guidance:

- None directly relate to national and local waste planning matters.

Development Management SG Review

- No relevant points raised.

Development Management and Policy Lead review:

- Through the review it was stated that all the waste policies (including W2) work well, that all policies are relevant and when needed are used.
- There is a need to acknowledge waste from decommissioning.
- It was noted in the review that there is a conflict between national policies regarding recycling and landfills when compared to local policies and practices with the incinerator.

Conclusion:

- Policy W2 responds, in the main, to the requirements stated in SPP, though there are wording alterations that could be made (as per the points below). From review of how Policy W2 has been used there are no apparent issues arising, as this Policy has been rarely used.
- Waste from decommissioning could be acknowledged in the policy by moving the statement on decommissioning from the policy's justification into the main policy text.
- More detail could be included in respect of infrastructure networks as detailed in SPP paragraph 182 (particularly regarding nearest appropriate installations and instances where there may be a shortfall in provision).
- Additional detail could be added regarding safeguarding and adjacent sites to take account of outside and 24 hour a day working as per paragraph 184 of SPP and potential buffer zones as detailed in paragraph 191.

- Potential change of wording required to include 'employment land' (as well as industry, storage and distribution) as being suitable for waste land use (as per SPP paragraph 186).

W3 Closed Landfill Sites

Policy:

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.

Justification

Once landfill working has ceased, the site should be restored at the earliest opportunity. After-uses that result in environmental improvement, rather than simply restoring land to its previous state, or which add to the cultural, recreational or environmental assets of an area are encouraged. Restoration should be designed and implemented to the highest standards.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- SPP paragraph 176 outlines how the planning system should support achievement of Scotland's zero waste targets, including sending no more than 5% of Scotland's annual waste arisings to landfill by 2025.
- In Paragraph 192 there is statement that Planning authorities should secure decommissioning or restoration (including landfill) to agreed standards as a condition of planning permission for waste management facilities and to ensure that landfill consents are subject to an appropriate financial bond (unless there is a sufficient restoration programme).

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Applicable Policies and Strategies:

[European Union Directive 2008/98/EC on waste \(Waste Framework Directive\).](#)

[Scottish Government Planning and Waste Management Advice Note \(updated July 2015\)](#)

[Scottish Government's Zero Waste Plan \(June 2010\).](#)

[Orkney and Shetland Area Waste Plan \(March 2003\).](#)

[Making Things Last A Circular Economy Strategy for Scotland \(February 2016\).](#)

[Shetland Partnership Plan 2018 – 2028](#)

- *'All areas of Shetland will be benefitting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development'* (p.9).

Shetland Islands Council: Our Plan 2016 to 2020.

Supplementary Guidance:

- None directly relate to national and local waste planning matters.

Development Management and Policy Lead review:

- Through the review it was stated that all the waste policies (including W3) work well, that all policies are relevant and when needed are used.
- It was noted in the review that there is a conflict between national policies regarding recycling and landfills when compared to local policies and practices with the incinerator.

Conclusion:

- This policy has not been used, reflecting its specific nature. Though there is no conflict with the content of SPP, it does not respond specifically to a national policy requirement regarding closed landfill sites.
- Policy W3's wording could be amended to include the commitment to move waste away from landfill in accordance with Scotland's zero waste targets as outlined in Paragraph 176 of SPP.

W4 Contaminated Land

Policy:

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 investigation and appropriate remediation measures before the commencement of any new use.

Justification

Under Part II A of the Environmental Protection Act 1990, the Council is required to inspect land for contamination and to prepare a Contaminated Land Strategy. Where contaminated land is identified, the Council has a duty to secure its remediation. SEPA has a duty to regulate and secure remediation of “special sites”; there are no ‘special sites’ currently within Shetland.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- There is no identified content in Scottish Planning Policy that relates directly to contaminated land. The basis for this policy is Part II A of the Environmental Protection Act 1990 (which states that the Council is required to inspect land for contamination and to prepare a Contaminated Land Strategy).

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[European Union Directive 2008/98/EC on waste \(Waste Framework Directive\).](#)

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[Shetland Partnership Plan 2018 – 2028](#)

- *‘All areas of Shetland will be benefitting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development’ (p.9).*

Shetland Islands Council: Our Plan 2016 to 2020.

[Supplementary Guidance:](#)

- None directly relate to national and local waste planning matters.

Development Management and Policy Lead review:

- Through the review it was stated that all the waste policies (including W4) work well, that all policies are relevant and when needed are used.
- It was noted in the review that there is a conflict between national policies regarding recycling and landfills when compared to local policies and practices with the incinerator.

Conclusion:

- Policy W4 relates to a requirement in legislation that the Council must follow regarding contaminated land. There is no statement in SPP regarding contaminated land, or evidence that the policy is used regularly. Therefore, the policy should remain as a commitment to the stipulations established in the Environmental Protection Act 1990.

W5 Waste Management Plans and facilities in all new developments

Policy:

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.

Adequate space must be provided for storage and collection of all waste and appropriate recycling facilities within the completed development.

Justification

The planning system has a crucial role in delivering objectives and targets of the Zero Waste Plan. It ranks the different ways in which we can deal with our waste in terms of sustainability. The hierarchy identifies the prevention of waste as the highest priority, followed by reuse, recycling, recovery of other value (e.g. energy), with disposal as the least desirable option.

A Site Waste Management Plan is an important way to help achieve sustainable waste management during the construction and operation of developments. It is crucial to the delivery of the Zero Waste Plan to ensure that sustainable waste management is fully considered in all new development and it is important for waste management and recycling to be “built in” to development as early as possible in order to minimise waste, ensure efficiency of collection and maximise recycling.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- SPP requires that plans should promote resource efficiency and the minimisation of waste during construction and operation for new developments (paragraph 179).
- SPP paragraph 190 states that all new development should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations.
- Planning authorities should (according to SPP paragraph 192) consider requiring the preparation of site waste management plans for construction sites.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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Applicable Policies and Strategies:

[European Union Directive 2008/98/EC on waste \(Waste Framework Directive\).](#)

[Scottish Government Planning and Waste Management Advice Note \(updated July 2015\)](#)

[Scottish Government's Zero Waste Plan \(June 2010\).](#)

[Orkney and Shetland Area Waste Plan \(March 2003\).](#)

[Making Things Last A Circular Economy Strategy for Scotland \(February 2016\).](#)

[Shetland Partnership Plan 2018 – 2028](#)

- *'All areas of Shetland will be benefitting from a more resilient low carbon economy underpinned by a culture of innovation, inclusion and skills development'* (p.9).

Shetland Islands Council: Our Plan 2016 to 2020:

- *'We will have reduced the effect we have on the local environment, particularly reducing carbon emissions from our work and buildings'* (p. 13).

Supplementary Guidance:

- None directly relate to national and local waste planning matters.

Development Management and Policy Lead review:

- Through the review it was stated that all the Waste Policies (including W5) work well, that all policies are relevant and when needed are used.
- It was noted in the review that there is a conflict between national policies regarding recycling and landfills when compared to local policies and practices with the incinerator.

Conclusion:

- This policy appears to follow the requirements established in SPP and is being implemented in Development Management process regularly to ensure that this stipulation is being met.
- The Policy's wording could be changed slightly to include mention of resource efficiency in the first paragraph (as per SPP paragraph 179) and statement that the second paragraph's requirements are necessary to meet Waste (Scotland) Regulations, however this would not have any material impact on how the policy directs Development Management process.

Local Development Plan Policy Chapter: Water and Drainage

WD1 Flooding Avoidance

Policy:

Proposals to build 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 a suitable Flood risk assessment is provided that demonstrates the following:

- The development does not create a flood risk to existing or proposed properties and/ or surrounding land.
- Appropriate acceptable mitigation measures can be undertaken to ensure no significant adverse impact on the natural and built environment as well as cultural heritage.

If there is any doubt the precautionary principle will apply.

Further policy and guidance on undertaking a Flood Risk Assessment can be found in Supplementary Guidance Flooding and Drainage..

Justification

It is widely accepted that sea levels are on the rise and that storms will become more frequent and more severe. Around Shetland a relative sea level rise between 0.4 and 0.6 metres is predicted by the end of the 21st century which may result in serious consequences for established coastal settlements.

The Council will not approve new development at low ground levels near to the coast where there is a significant risk of future inundation or erosion.

The Planning Service has continued to administer the analysis of the reported incidents of flooding which illustrates that the most common source of flooding was historically inundation by the sea. Analysis of the reported incidents illustrates that coastal inundation is still an issue but increasingly incidents are the result of heavy rainfall.

Coastal flooding events occur when an unusually high tide affects low lying property and the worst effects result when the high tide coincides with a severe weather incident. Again, climate change predictions state that such events will occur more often and become more severe.

Analysis of available data including 1 in 200 year coastal flood levels, SEPA flood maps, UK climate projections and historical storm surge levels have led to the use of the 5m contour for the purpose of determining when a flood risk assessment should be required.

A study undertaken in 2009, which predicts the scenario for Shetland in the future, forms important background research on which Development Plan policies relating to flooding and climate change are based. Practical application of these findings vindicates the requirement for the submission of a Flood Risk Assessment (including an additional allowance for climate change), in support of any planning application for proposed development, or in areas shown to be at risk from flooding.

The results of the Flood Risk Assessment will be used to determine whether the development is acceptable on flood risk grounds.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Plans should recognise that rising sea levels and more extreme weather events resulting from climate change will potentially have a significant impact on coastal and island areas, and that a precautionary approach to flood risk should be taken.
- Plans should confirm that new development requiring new defences against coastal erosion or coastal flooding will not be supported except where there is a clear justification for a departure from the general policy to avoid development in areas at risk. Where appropriate, development plans should identify areas at risk and areas where a managed realignment of the coast would be beneficial.
- SPP encourages and supports resource efficient development that address weather and environmental factors (i.e. risk of flooding)

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

- Planning can support reducing emissions

- Building resilient communities
- Supporting the wellbeing economy
- Opportunities for the creation of 20 minute neighbourhoods
- Towards peatland protection
- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[SEPA Climate Change Commitment Statement](#)

- We will use our flooding roles to greatest advantage to improve climate resilience for Scotland's communities

[The National Islands Plan \(Islands Scotland Act 2018\)](#)

- To ensure that Scottish Islands are at the forefront to contributions to our ambition to end climate change (Strategic Objective 9)

Supplementary Guidance:

- Draft Supplementary Guidance – Water and Drainage

Development Management and Policy Lead review:

The 5m contour works well and should continue in the next plan. SEPA have issued maps showing flood risk areas but they have a level of uncertainty with them so it's best to stick with 5m contour.

Colin said that SEPA are working on coastal erosion data so we are to keep up to date with these as it could mean changes to the policy.

It was felt that asking for flood risk assessments for an extension to a property is excessive as some extensions can be done under PD rights.

It was suggested that the policy wording could be changed to 'development susceptible to flooding should submit levels and datum to prove not subject to flooding and provide mitigation'.

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There is already scope within the specifics of a FRA to ask for only the level of detail or kind of information needed for the particular application.

For all of the recent cases that the 5m contour has triggered the need for more information, it's been limited to a floor level (to a datum) and then proposed mitigation. Mitigation has mostly been a statement on flood resilience in the proposed construction, for the applications that have been coming up, but could also involve protection measures, either to protect the structure or to guide water away from the structure.

PPP7 has – “Alterations and small scale extensions to buildings are generally outwith the scope of this SPP provided they would not have a significant effect on the storage capacity of the functional flood plain or affect local flooding problems.” So shaping the policy more along those lines might help the issue, although there’d need to be some thought on where “small scale” sits.

Conclusion:

- 5 metre contour should stay in next policy
- Include SEPA’s coastal erosion data in updated policy
- The policy wording could be changed to ‘development susceptible to flooding should submit levels and datum to prove not subject to flooding and provide mitigation’
- Rewording of policy in-line with SEPA’s Climate Change Statement and updated local flooding data
- Addition of ‘small scale’ in terms of Flood Risk Assessments as per flooding engineer’s comments

WD2 Waste Water

Policy:

New developments which require waste water disposal and are located within or adjacent to settlements are expected to connect to the public sewer .

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:

- 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

Justification

The water environment has a finite capacity to receive pollutants. The provision of sustainable drainage infrastructure is essential in protecting, maintaining and improving the water environment. This policy seeks to protect watercourses and water bodies by limiting the potential adverse impacts of foul drainage.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- None applicable

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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- For the creation of emissions efficient design and town centres

Applicable Policies and Strategies:

[SEPA Climate Change Commitment Statement](#)

- SEPA's waste drainage policies
- Scottish Water's waste drainage policies

Supplementary Guidance:

- Draft Supplementary Guidance – Water and Drainage

Development Management and Policy Lead review:

- It was agreed that the policy works well and has the flexibility needed.

Conclusion:

- Policy works well
- Check against SEPA and Scottish Water's updated guidance

WD3 SuDs

Policy:

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.

Justification

The aim of SuDS is to attenuate the flow of surface water off the development site as well as provide treatment to minimise the pollutants reaching existing waterbodies, thereby protecting, maintaining or enhancing the water environment.

SuDS are a sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach to surface water management than the conventional practice of routing run-off through a pipe to a watercourse.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.
- Proposed arrangements for SuDS should be adequate for the development and appropriate long-term maintenance arrangements should be put in place.

[Scottish Planning Policy – finalised amendments: December 2020](#)

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[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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[Applicable Policies and Strategies:](#)

[SEPA Climate Change Commitment Statement](#)

- SEPA's waste drainage policies
- Scottish Water's waste drainage policies

[Supplementary Guidance:](#)

- Draft Supplementary Guidance – Water and Drainage

[Development Management and Policy Lead review:](#)

- There was discussion regarding the wording of the policy and to change the policy to say discharge to the sea was okay, in line with SEPA’s guidance. It was agreed that the policy should keep its current wording in line with SPP and SEPA guidance.
- It was agreed that the policy should keep its current wording in line with SPP and SEPA guidance.
- The background is actually that the act (The Water Environment (Controlled Activities) (Scotland) Regulations 2011) makes a legal requirement for SUDs on all development except where “the discharge is to coastal water”.
- Any discharge to coastal water has its own requirements for construction and operation, and there is enough coverage under those areas to ensure proper control, if WD3 did not place any specific restriction.
- In terms of SUDs provision, and related slightly to the comments re; WD1, a more difficult issue for me is construction of extensions, garages etc in older areas of housing, particularly Lerwick and Scalloway, where the existing private drainage infrastructure is lacking or non-existent, and where new connections or increased discharge to Scottish Water or Roads drainage often not permitted. SUDs may or may not be able to be fitted into the site, but without a point of discharge, it can be difficult to address flood risk from overflows without costs that are disproportionate.

Conclusion:

- It was agreed that the policy should keep its current wording in line with SPP and SEPA guidance.
- Additional parts to the policy or guidance (SG) regarding extensions, garages, areas of housing where existing private drainage infrastructure is lacking or non-existent

Local Development Plan Policy Chapter: Community Facilities

CF 1 Community Facilities and Services (incl. Education)

Policy:

The Council encourages proposals for the provision of community facilities, services and infrastructure that respect Shetland’s culture and natural and historic environment.

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.

Justification

Shetland is well provided with community facilities and services. The Plan encourages development within existing settlements and provides the land use framework to maintain sufficient numbers of people, particularly in rural areas, so as to sustain local facilities and services, and build strong communities. However, it is important to ensure that the unique and irreplaceable qualities of Shetland's landscape, settled areas and the amenities of local residents are protected from inappropriate development.

New uses that encourage rural diversification, provide employment or community benefits will be supported, particularly where they involve the imaginative and sensitive re-use of the land and buildings.

Land reserved at the Lower Stoney Hill, for educational purposes in the Shetland Local Plan (2004) has been retained and is indicated on the Proposals Map. If the new High School is built at this site consideration will be given to the redevelopment options for the existing Anderson High School site at the Knab (site ref: LK 015).

The burial ground at the Knab, Lerwick, is estimated to have less than twenty years remaining. At the next Shetland Local Development Plan Review, suitable sites for a Lerwick Burial Ground will be investigated.

Many agencies are involved in the provision of services and facilities and it is very important that the Council works in partnership with the strategies and plans of other public agencies and the voluntary sector. The Community Plan is one of the main public documents that ties together the plans and aspirations of providers and users.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

[Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)

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- Opportunities for the creation of 20 minute neighbourhoods
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Applicable Policies and Strategies:

Shetland Partnership Plan 2018 – 2028

- Priority of making sure everyone in Shetland have a good an experience of life as possible – improving health, reducing poverty and making sure that people are connected to their communities.
- Making sure that people can access employment, education, training and services in innovative ways to minimise the barriers to involvement for all.

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)

- Facilities and Amenities – 5.5

Supplementary Guidance:

- No the draft Open Spaces SG was not adopted or finalised

Development Management and Policy Lead review:

- Protection of existing facilities? (Should we have stopped removal of camp site at Clickimin or resisted the removal of a facility that is the only one in a locality?).
- Confusion over what community facilities actually means; is it a business or something that benefits or is a benefit to a community.
- Doesn't protect existing community facilities, but encourages new
- Policy didn't protect camp site at Clickimin
- Policy couldn't protect Staney Hill shop from conversion or loss
- Policy should be more clear what exactly is a community facility
- Protectionist policies are fraught with problems and difficulty writing. Should we protects buildings or facilities from other businesses?
- Outdoor Access Comments:
- Note that community facilities also includes infrastructure -so recreation and active travel opportunities too- and quite strongly relates to CF2 in relation to ensuring ' that the unique and irreplaceable qualities of Shetland's landscape, settled areas and the amenities of local residents are protected from inappropriate development.'

Conclusion:

- Policy needs updating to include the protection of existing facilities. Would the addition of this within the policy helped stop the removal of the Clickimin camp site or the conversion of the Staney Hill shop? If not then does the policy require another part for justification for removal of a community facility or conversion etc - similar to what we would see for the removal of a building within a conservation area?
- Definition of facilities needs to be included either within the policy or within an additional information attached to the Justification, to clarify what exactly is a community facility.

CF 2 Open Space

Policy:

Development that will improve or add to the current levels of open space will be supported. Development proposals that adversely impact on established recreation areas identified in the Open Space Audit and Strategy, and other important open spaces that contribute to the recreational amenity or environmental quality of an area will not be supported.

Compensatory provision made elsewhere within the community area of at least equal size and quality that contributes positively to settlement character and sense of community will be considered.

Details of the identified open spaces will be included in the forthcoming Supplementary Guidance – Open Space.

Justification

Access to good quality open spaces and opportunities for sport, recreation and reflection makes an important contribution to the health and wellbeing of everyone. Good quality open spaces are important for the contribution they make to amenity and their role in nature conservation, biodiversity, recreation and physical activity. Open green space can also have other benefits such as mitigating the effects of flooding in built up areas.

There is a general presumption against the development of designated open space, unless there is evidence within the Council's Open Space Audit that development will not result in a deficit of that type of space in the local area and that alternative locations for development have been considered. The poor condition of an area of open space due to inadequate maintenance or neglect is not justification for redevelopment nor can it be assumed that areas of unmaintained open space will remain unmaintained if acceptable re-development proposals are submitted.

If planning permission is granted within an area designated as open space, replacement space should be provided of an appropriate type, quantity, accessibility and quality. New development should include measures to improve access to existing areas of open space. Consideration should be given to linking these areas with core paths.

[Scottish Planning Policy 2014 Requirements for Development Plans:](#)

Summary of policy:

- NPF3 aims to significantly enhance green infrastructure networks, particularly in and around our cities and towns. [Green infrastructure](#) and improved access to [open space](#) can help to build stronger, healthier communities. It is an essential part of our long-term environmental performance and climate resilience
- Planning should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking.
- The planning system should:
 - consider green infrastructure as an integral element of places from the outset of the planning process;
 - assess current and future needs and opportunities for green infrastructure to provide multiple benefits;
 - facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation; and
 - provide for easy and safe access to and within green infrastructure, including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.
- Paragraph 225 states that local development plans should seek to enhance and promote the creation of new green infrastructure, which may include retrofitting.
- Paragraph 228 highlights that Local development plans should safeguard access rights and core paths, and encourage new and enhanced opportunities for access linked to wider networks.

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- Priority of making sure everyone in Shetland have a good an experience of life as possible – improving health, reducing poverty and making sure that people are connected to their communities.
- Making sure that people can access employment, education, training and services in innovative ways to minimise the barriers to involvement for all.

Place Standard 2017 (1: A lot of room for improvement. 7: No improvement)

- Facilities and Amenities – 5.5

Supplementary Guidance:

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Development Management and Policy Lead review:

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- In light of that and with major developments like Staney Hill Housing, Marts and Industrial estate, Sella ness/Sullom amongst others is it something that we could use to get push for more connecting paths outside the site as compensation for loss of open space rather than asking nicely and hoping? Developer contributions would help with provision too, as authorities south

are making use of these monies, matched to other external funding, for open space, recreation and active travel provision.

- There is a fair bit of potential overlap between the kind of linear SUDs that would work well on larger developments and green corridors/active travel routes, and this is well supported by SEPA and other's guidance. This sort of thing maybe gives a chance to get better public access and higher quality in the spaces within and surrounding development, even if the overall area of open space is decreased. We've had some success with that with a few developments where there has been early involvement, a good opportunity for Quality Audits, as once the site pattern is established it can be more difficult to rework.

Conclusion:

- Policy on the whole covers the intention of preserving and creating more open space, although the compensatory provision part of the policy may need updating to strengthen for larger developments.

PART 5: POLICY REVIEW CONTINUED

Current Local Development Plan Policy Usage:

The following section presents statistical analysis of how the Plan policies were used at the decision making level by Development Management (approvals and refusals).

As stated in the introduction to this monitoring statement, the following policy usage statistics covers the period between October 2014 to December 2019. The period during the COVID-19 pandemic has not been included within the statistics, as this was felt at the time, to be exceptional circumstances and not indicative of 'normal' operating circumstances.

General Policies

The policies contained within the General Policies chapter, seek to take into account the need to help mitigate and adapt to the causes of climate change. They also aim to ensure that sustainable development is delivered in a fair, concise and consistent manner; sustainable development, but protecting our environment, built heritage and the amenity of those adjacent users affected by development proposals.

The General Policies chapter contains three policies, and are the most applied policies within the Plan. With policy GP1 (Sustainable Development) being used on 905 planning applications or 61.3% of all planning applications.

Policy GP2 (General Requirement for All Development) was the most used policy within the Plan – it was used for 94.5% of all decisions on 1395 applications with policy GP3 (All Development: Layout and Design) being the second most used policy on 1361 planning application or 92.2%.



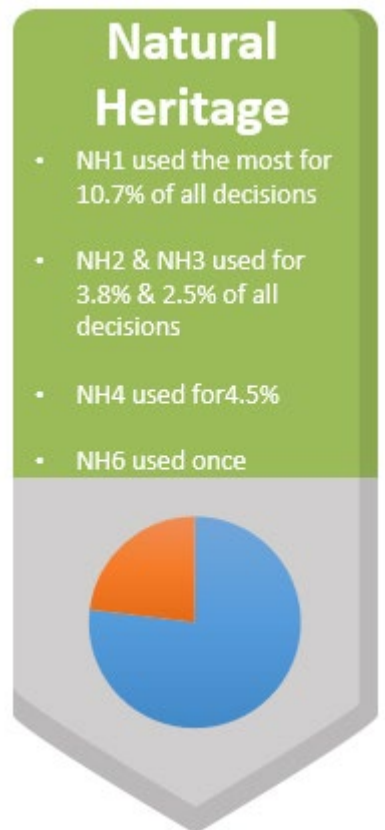
Natural Heritage

The policies contained within the Natural Heritage chapter, aim to protect biodiversity, geodiversity and landscape from the detrimental effects of development, as well as maximising potential benefits to natural heritage. T

The Natural Heritage chapter contains seven well-used policies, with policy NH1 (International and National Designations) being used the most on 158 planning applications or 10.7% of all decisions made.

Policies NH4 (Local Designations) and NH2 (Protected Species) were used on 66 and 56 planning applications respectively or 4.5% and 3.8% of times, with policy NH6 (Geodiversity) being used the least on 6 planning applications or 0.4% of decisions.

Policies NH1 and NH4 are the only Local Plan policies, aside from CST1 (Coastal Development), that have been used in applications for wholly offshore development.



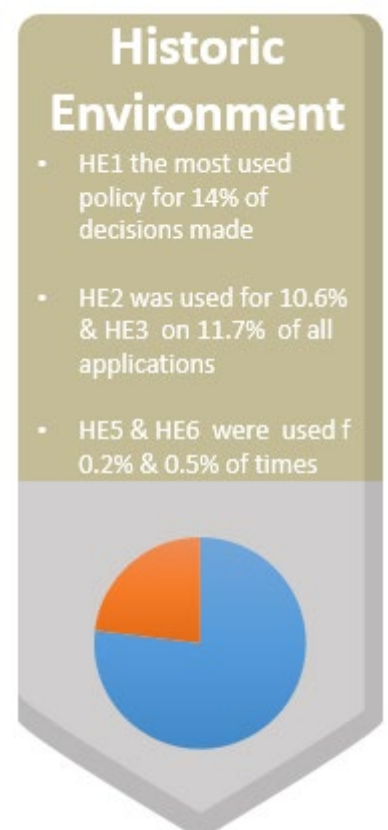
Historic Environment

The policies contained within the Historic Environment chapter, covers our monuments, archaeological sites, landscapes, historic buildings, townscapes, gardens and designed landscapes, as well as our marine heritage. All these assets are recognised as having particular value.

The Historic Environment chapter contains six policies, with policy HE1 (Historic Environment) being used the most on 207 planning applications or for 14% of all decisions made.

With policy HE2 (Listed Buildings) being used on 156 planning applications or 10.6% of times. Policy HE3 (Conservation Areas) being the second most used Historic Environment policy on 172 planning applications or for 11.7% of all decisions made.

Policy HE5 (Gardens and Designed Landscapes) being the least used policy – used on 3 planning applications or 0.2% of times.



Coastal Development

The policies contained within the Coastal Development chapter, recognise that Shetland's coastline and coastal areas support a wide range of economic and recreation activities as well as being important in natural heritage and cultural terms. The policies seek to ensure development is undertaken in a way which does not damage the coastal environment nor stifle economic development.

The Coastal Development chapter contains one broad ranging policy, which is used for a 100% of all marine planning applications, and a small number of land-based applications.

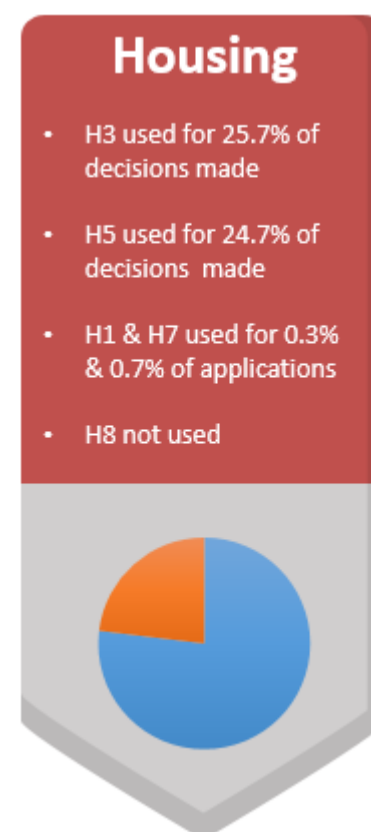


Housing

The policies contained within the Housing chapter seek to ensure we continue to meet demand for homes across all our communities in Shetland, by delivering a high standard of housing tenure built to the highest quality and built in the right locations.

The Housing chapter contains eight policies with policy H3 (All Housing Development) being used the most on 379 planning applications or 25.7% of all decisions made during the Plan's lifetime. Policy H5 (Siting and Design) being the second most used housing policy – used on 364 planning applications or 24.7% of times.

Conversely policies H4 (Affordable Housing) and H7 (Residential Caravans and other Temporary Residential Structures) were used on 10 planning applications or 0.7% of times. With policy H8 (Uninhabited Islands) having never been used during the Plan's lifetime.

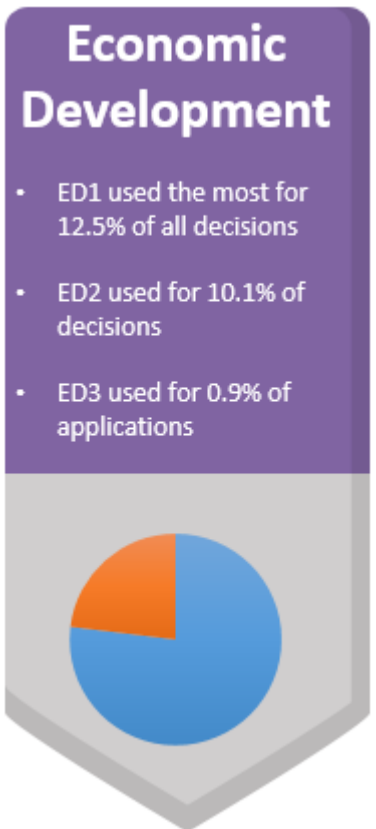


Economic Development

The policies contained within the Economic Development chapter seeks to ensure that the Plan has a key role to play in supporting the development of business and industry in Shetland.

The Economic Development chapter contains three policies with policy ED1 (Support for Business and Industry) being used the most on 185 planning applications or 12.5% of all decisions made during the lifetime of the Plan.

Policy ED2 (Commercial and Business Developments) was used on 149 applications or 10.1% of all decisions, with policy ED3 (Lerwick Town Centre) being used the least on 14 planning applications or 0.9% of all decisions made.

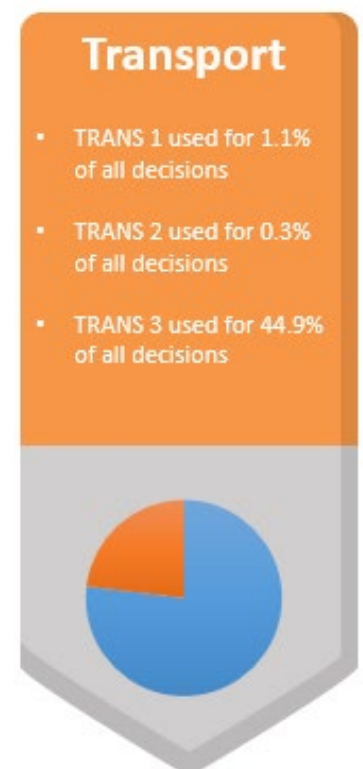


Transport

The policies contained within the Transport Chapter, ensure that Shetland continues to enjoy an efficient and integrated transport system, and that we support and develop the system to meet our long-term social and economic needs.

The Transport Chapter contains three policies with policy TRANS3 (Access and Parking Standards) being used the most on 663 planning applications or 44.9% of all decisions made.

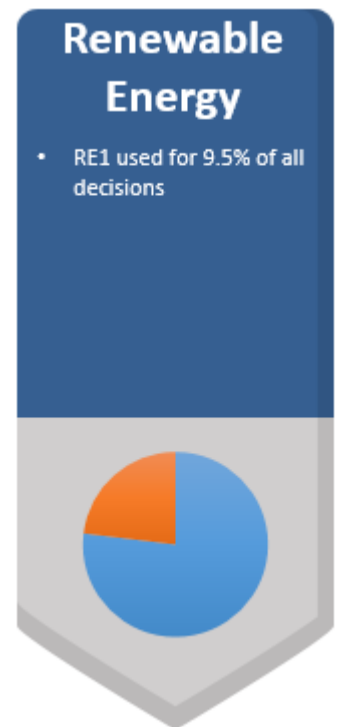
Policy TRANS1 (Integrated Transport) being used on 16 applications or 1.1% of all decisions made, with TRANS2 (Inter-Island Links) being used the least on 5 applications or 0.3% of all decisions made.



Renewable Energy

The policy contained within the Renewable Energy Chapter, encourages and supports the commitment for the delivery of renewable energy developments that contribute to the sustainable development of Shetland.

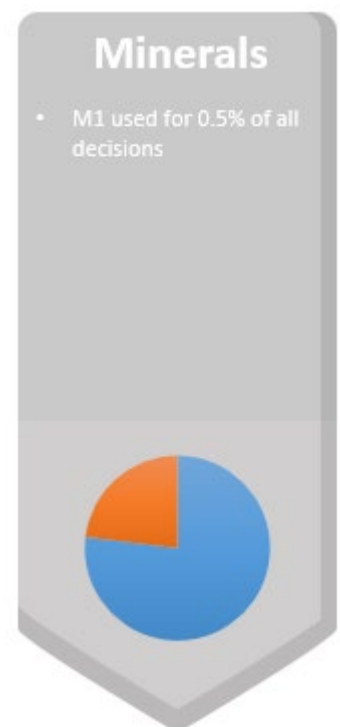
The Renewable Energy Chapter contains one policy – policy RE1 (Renewable Energy). This policy was used on 140 planning applications or 9.5% of all applications decided.



Minerals

The policy contained within the Minerals Chapter, recognises the important contribution to Shetland's prosperity, by meeting industry's need for raw materials.

The Minerals Chapter contains one policy – policy M1 (Minerals Policy). This policy was used on 8 planning applications or 0.5% of all applications decided.

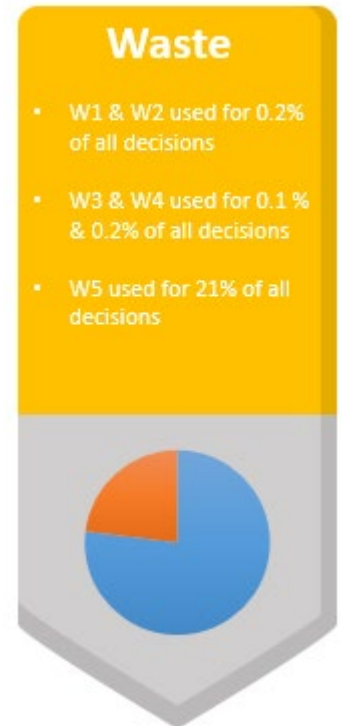


Waste

The policy contained within the Waste Chapter, seeks to ensure that the Council supports waste management facilities that fulfil the requirement of national and local waste strategies or plans. The Scottish Government has adopted a zero waste goal, and the policies contained within the Waste Chapter will help meet that goal.

The Waste Chapter contains five policies with policy W5 (Waste Management Plans and facilities in all new developments) being used the most on 310 planning applications or 21.0% of all decisions made during the Plan's lifetime.

Policy W2 (Waste Management Facilities) being the second most used policy on 7 applications or 0.5% of all decisions made. Policies W1 (Waste Hierarchy) and W4 (Contaminated Land) being used only three times or 0.2% of all decisions made, however policy W3 (Closed Landfill Sites) was the least used policy within this Chapter, having being used only once or 0.1%.

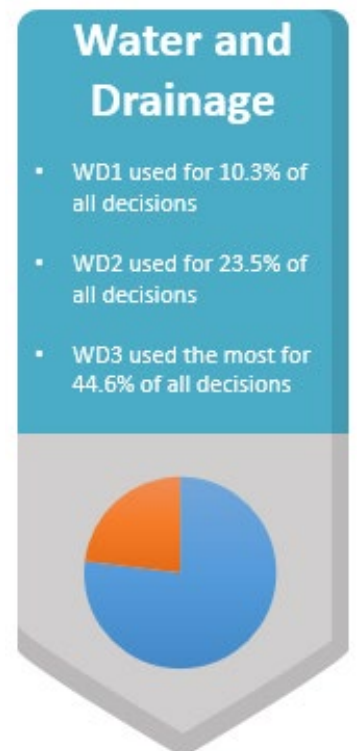


Water and Drainage

The policy contained within the Water and Drainage Chapter, seeks to ensure that essential sustainable drainage infrastructure is provided, and that any new development helps maintain good quality water environment. The policies within this Chapter, also seek to ensure the new development are not at risk from flooding and are able to meet projected changes in the climate.

The Water and Drainage Chapter contains three policies with policy WD3 (SuDS) being used the most on 659 planning applications or 44.6% of all decisions made.

Policy WD2 (Waste Water) was the second most used policy on 347 applications, or 23.4% of all decisions made, with policy WD1 (Flooding Avoidance) being used the least on 152 applications or 10.3% of all decisions made.



Community Facilities

The policies contained within the Community Facilities Chapter, ensure as far as possible, that all forms of community facilities, including health and social care, education and recreation opportunities, are available and accessible to Shetland's entire population.

The Community Facility Chapter contains two policies, with policy CF1 (Community Facilities and Services incl. Education) being used the most on 106 applications or 7.2% of all decisions made. Policy CF2 (Open Space) being used on only 11 applications or 0.7% of all decisions made within the Plan's lifetime.



Policy considerations for the next Local Development Plan 2

General Policies:

Two new policies should be considered and should replace the overarching General Policies chapter area - this will help meet the Scottish Government's targets on tackling climate change, and also the current aims on Placemaking and promoting healthy communities. The new policy should be called Placemaking and Climate Change and Sustainable Development.

Climate change is possibly the greatest challenge facing the world today and Scottish Planning Policy will continue to ensure Local Development Plans play their part in addressing this climate emergency. A new stand-alone Climate Change policy will replace GP1 – GP3 and will amalgamate existing relevant policies. The climate change chapter will seek to ensure that new developments meet the demands of reducing emissions and lowering energy consumption; that new developments protect carbon sinks and stores such as peat rich soils, and will continue to encourage the use of and development of, renewables technologies.

Also sitting within the General overarching policy area, will be a new Placemaking policy that will replace policy GP3. The new Placemaking policy will build on and strengthen the current guidance (Placemaking Design Guide) and will promote the 6 key qualities of a successful place as defined within the Scottish Government's

Creating Places design policy statement. It will ensure that for certain sizes and types of developments, Masterplanning, Design Statements and Design Guides will be undertaken – this will include the requirement for Quality Audits, in line with current practice. The new Placemaking policy will become the backbone in terms of the Council’s promotion and support of ‘people first’ high quality development, and will lend the strongest support for collaborative working between developers, designers and stakeholders.

Based on the policy review the General Policies need retaining in terms of their hierarchy and overarching principles, however they need replacing and need renewed in terms of support in a lot of areas not covered within the existing policies. They are the most used policies by Development Management at the decision making process, and are a vital chapter within the Plan.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
GP1				X		
GP2				X		
GP3				X		
Climate Change & Sustainable Development					X	
Placemaking					X	

Natural Heritage:

Overall the Natural Heritage policies work well and are used when required. Most of the policies need updating to better reflect national and local changes to objectives and policies. With some policies needing more work than others in terms of the changes at a national and local level.

Further consideration for issues such as designated sites, landscapes, wild land etc, should be included within the policy updates. Nature Conservation Marine Protected Areas and seal haul-outs should be considered and possibly included within the Marine policies.

Also, the inclusion of a new Natural Heritage policy for landscape capacity, wild land, and the requirement to protect peatland, which should be updated to take account of the Carbon and Peatland 2016 map and should be applicable to all development – this is currently not covered within the existing policies. Mention of no net loss and the introduction of net gain, should be considered within the updated policy and possibly ‘all development’ within policy. The updated policies and any new policy

should work alongside the new Climate Change and Sustainable Development policy.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
NH1		X				
NH2			X			
NH3		X				
NH4			X			
NH5		X				
NH6			X			
NH7			X			
Landscape and natural heritage					X	

Historic Environment:

The Historic Environment chapter contain policies that are key in the protection and enhancement of our Conservation Areas and our Listed Buildings, and have worked well during the lifetime of the Plan. Based on the policy review, three of the policies require only minor amendments, with one major changes. This would be to update the policies in-line with national policy and in response to how successfully the polices were applied during planning decision making.

Policies HE5 and HE6 having been little used during the lifetime of the Plan, should be updated in-line with new national policy, with possibly combining or inserting into existing Historic Environment policies

A new policy within the Historic Environment Chapter will be included, to meet the lack of control in terms of shop signage and frontages within our Conservation Areas (or Area of Control) – this will also tie into an updated Article 4 Direction. This new policy will be supported with a new and updated shop frontage design guide.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
HE1			X			
HE2			X			
HE3		X				
HE4			X			
HE5			X			
HE6			X			

Shop Frontage (conservation area of control)					X	
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Coastal Development:

Marine developments are covered within one generic over-arching policy and has worked well over the lifetime of the Plan, when used in conjunction with the more specific policy areas covered by the Marine Spatial Plan (adopted as SG in February 2015), the Council’s Aquaculture Policy (currently under review and proposed as SG) and where relevant the Council’s Works Licence Policy. The new overarching Climate Change and Sustainable Development policy, and the new Placemaking policy will work alongside the coastal development policy.

Marine planning policy is evolving fast at the national and regional level and a number of things have happened in this area since the LDP was adopted including adoption of Scotland’s National Marine Plan in March 2015, and, following on from that, progression with establishment of Marine Planning Partnerships who have responsibility for producing Regional Marine Plans. Both Scottish Planning Policy and the National Marine Plan advocate an integrated approach to coastal and marine planning requiring LDPs and RMPs to take account of and complement one another and this is further reinforced in *Circular 1/2015 The relationship between the statutory land use planning system and marine planning and licensing*.

Policy CST1 and its justification will be updated to ensure this important relationship is identified and understood.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
CST1			X			

Housing:

The policies that are contained within the Housing Chapter are key to the delivery of successful places, by ensuring we provide high quality homes in the most suitable and sustainable locations, and by ensuring we identify suitable sites for housing development. It is the Housing chapter that will see most changes, as some will be deleted and all will move into the new Placemaking overarching policy – this

overarching policy will contain sub-policies that will guide all new development, including housing, and will contain guidance and policy on siting and design.

Policy H2 Areas of Best Fit will be deleted as this will superseded with our Preferred Areas of Growth and our Call for Sites allocations. H3 All Housing Development, should be updated (Sites with Development Potential, Areas of Best Fit to be removed etc) and shall include site allocations via the Call for Sites process. This policy should strongly encourage the siting of new housing developments within these pre-assessed and approved areas.

Policy H1 Effective Land Supply will be moved into the new Placemaking policy, as will an updated H5 Siting and Design. Policy H6 Amenity Space in Housing Developments, Policy H7 Residential Caravans and other Temporary Residential Structures, and H8 Uninhabited Islands, will all be updated and moved into the new Placemaking policy.

Policy H8 (Uninhabited Islands) that was not used during the lifetime of the Plan, therefore this policy should be considered for removal and possibly covered within another policy, should the Council chose to continue to not support the habitation or re-habitation of our uninhabited islands.

Policy H5 Siting and Design should be updated to be more in-line with current Placemaking practices and will work alongside a new updated Shetland House Design Guide. The Shetland House Design Guide will put flesh on the Placemaking guidance, and will cover design and colours in more detail – this Guide will help push for higher quality in terms of residential building materials and how these buildings are sited within Shetland’s landscape.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
H1			X			
H2				X		
H3		X				
H4		X				
H5		X				
H6			X			
H7	X					
H8	X			X		

Economic Development:

In terms of economic recovery post-COVID-19, the Local Development Plan's Economic Development Chapter will need a higher level of scrutiny, to ensure our policies help deliver and aid Shetland's economic recovery. And that it is done in a way that meets our Net Zero targets. Additional policies to support our two main business and development policies, may be required. These policies need to support, encourage, and direct sustainable economic development as the Scottish Government concentrates its efforts to restart Scotland's economy.

All three policies need updating to better reflect possible new post COVID-19 targets set at national level and new targets set at a local level.

Emphasis on hierarchy of developments in terms of business development and its preferred location, and clarification is required where the policies mention settlement. The policy chapter should also address business developments that do not fall within designated industrial areas, and should address inappropriate developments within industrial estates – with emphasis and more clarity being given to industrial estates, and more protection from developments which could harm future developments.

The inclusion of promoting digital infrastructure should also be included within the updated policies.

The updated economic development policies will work alongside the new Climate Change and Sustainable Development policy, in that it will ensure all new industrial and business developments are low carbon and meet the standards required for a just transition to low carbon practices, and that any new buildings have carbon reducing technologies attached to the premises.

Policy ED3 Lerwick Town Centre, needs a complete refresh and an update of the Town Centre Health Check and should complement the new Shop Signage and Area of Control policy within the Historic Environment chapter. The Lerwick Town Centre policy should also be changed and updated to include our other important remote and rural Locality Hubs or Service Hubs. The policy name should also be changed to include this update.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
ED1		X				
ED2		X				
ED3		X				
Shop Frontage and Areas of Control					X	

Transport:

The policies contained within the Transport Chapter are key to the Plan delivering a modern fit-for-purpose transport system, with a new move towards walking and cycling routes, healthy communities, 20 Minute Neighbourhoods etc. The policies should support innovative ways to reduce our reliance on vehicles, and support environmentally friendly and healthier ways to travel.

There is also need for a new Outdoor Access policy, as none currently exists in the LDP. The inclusion of a new Outdoor Access policy will support and encourage new sustainable and healthy travel networks of walking and cycling routes, in-line with the Council’s Active Travel Strategy and other national projects. The addition of a new will better reflect the Council’s commitment to active travel and building healthy communities, by supporting sensitive developments that promote access to the countryside, and for the protection, provision and maintenance of our core paths and coastal walkways. The new policy should align itself with other relevant health strategies.

Policies TRANS 1 and TRANS2 need minor updating in-line with the Council’s new Transport Strategy and policy Trans3 directs people to the supplementary guidance’s for Parking Standards and Residential Access, however these have both been superseded by the National Roads Development Guide – Shetland local variation. .

A continued protection of areas where possible fixed link routes may be sited, should be included within the next Plan with supporting maps. To ensure that no inappropriately sited developments sterilise possible fixed links routes.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
TRANS1			X			
TRANS2			X			
TRANS3		X				
Outdoor Access					X	

Renewable Energy:

The current Plan has one Renewable Energy policy (RE1 Renewable Energy) with further policies (DC1 – DC7) contained within the newly adopted SG.

The policy needs more emphasis on renewable energy provision at a National level from when the last Plan was developed. Scottish Government has placed more emphasis on the planning service to help deliver its carbon objectives as outlined within the Update to the Climate Change Plan - Securing a Green Recovery on a Path to Net Zero – 2018 – 2032. The Scottish Government has set new ambitious

targets to end Scotland’s contribution to climate change by 2045, with a commitment to reduce emissions by 75% by 2030 (compared to 1990) and to net zero by 2045.

Within its green recovery plan, the Scottish Government states that our recovery from the pandemic must continue to respond to the climate emergency, and that it should put us on a pathway to deliver its statutory climate change targets and transition to net zero. This is done by ensuring our actions in the immediate term are in-line with Scotland’s long-term goals.

The policy RE1 Renewable Energy may be moved into a new chapter that covers local resources (minerals, wind, solar etc). This local resources policy chapter may also include a new landscape sensitivity and capacity policy, which will help assess the impacts from onshore wind energy and other larger renewables projects.

This should include an update to the Landscape Sensitivity and Capacity guidance. This guidance is now 10 years old. This new policy chapter should tie in and work alongside the new Natural Heritage landscape capacity policy, and other subject areas covered within the Natural Heritage chapter.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
RE1			X			
Landscape Sensitivity and Capacity					X	

Minerals:

This policy is infrequently used within its specific remit of controlling mineral extraction or developments.

To bring minerals policy in line with SPP, a policy content review should work towards meeting the requirements stated in paragraphs 237 (factors that proposals need to address), 238 (maintenance of a landbank) and 241 (peatland protection). Potential additional minerals policy areas relate to restoration bonds, reinstatement plans and restoration/decommissioning.

In reviewing minerals policy in the current Plan, a view needs to be taken on the role of the current Interim Minerals Policy document and whether specialist minerals policies should continue to be detailed in a separate document.

The updated Policy should contain a safeguarding map detailing current extraction sites, and proposed extraction sites, thus adding protection of future mineral/quarry sites from development that could potentially sterilise the future extraction sites.

There is also room for an additional restoration, reinstatement, and decommissioning policy.

The Minerals Chapter will also include restoration and reinstatement plans, and will also cover decommissioning.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
M1		X				

Waste

Overall the Chapter is still relevant and only needs minor updating – namely policies W2, and W5 to better reflect the requirement set out within Scottish Planning Policy. More detail on decommissioning, safeguarding of waste disposal sites and landfill sites, should be included within the updated policies. Policy W3 due to its infrequent use and lack of requirement in terms of SPP, could be included within another policy, or could be updated to include safeguarding area. Policies W1 and W4 are still relevant and work well.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
W1	X					
W2			X			
W3		X				
W4	X					
W5			X			

Water and Drainage:

The policies contained within the Water and Drainage Chapter, are well used policies. Two out of the three policies – WD1 and WD3 - need only minor wording changes to better reflect national and local policy changes, such as SEPA's Climate Change Statement. With policy WD2 being kept in its current form, but again to better reflect SPP and SEPA guidance. Addition to WD2 will be guidance on extension, garages, areas of house where existing private drainage infrastructure is lacking or non-existent.

There also needs to be the inclusion of a new policy on Green and Blue Networks; this will ensure any new developments include the provision of blue infrastructure and green corridors etc.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete policy	New Policy	Supplementary Guidance or Guidance Note
WD1			X			
WD2			X			
WD3			X			
Green and Blue Networks					X	

Community Facilities

Overall the policies work as required with both policies needing minor text changes, to better reflect the changing requirements in terms of education provision, community play parks and equipment, and camp sites. Better definition of what a community facility is, should also be included through the update. Policy CF2 Open Space should be updated to better reflect the compensatory aspect in terms of larger developments.

Policy Reference	No Change	Major Change	Minor text change or clarification	Delete Policy	New Policy	Supplementary Guidance or Guidance Note
CF1			X			
CF2			X			

Table Key:

- **Delete:** This means the policy has been superseded or is no longer required
- **Major change:** This means the policy is out of date due to the number of policy and regulatory changes at a national and local level, and that the majority of the policy needs updating
- **Minor change:** This means the principle of the policy is still relevant, however, it may need partial text updating to meet current national and local policy and regulatory changes
- **No change:** This means that the principle of the policy is still relevant and the wording of the policy still meets national and local policy and regulatory changes

Policy performance summary

Of the Plan's 43 policies the analysis can be briefly concluded as follows:

Minor Amendment: 21 or 49% require only minor amendments to better reflect changed national and local policies and strategies, from when the current Plan was published. These policies it has been concluded, work well both in structure and intent, and only need minor updating in wording to better meet current strategies and objectives.

No Change: 4 policies or 9% require no change both in structure and intent and are current in terms of any national and/or local policy objective.

Major Change: 14 policies or 32% require major changes; it has been concluded that the policy is no longer fit for purpose, and requires rewritten. This is not a damning indictment of the policies, more that the review has found the policy aim is either out of date, no longer relevant, or that national and local policies have changed to a point where the policy needs completely rewritten.

Deletion: Of the 43 policies, 4 were identified as being suitable for deletion or inclusion within an existing policy.

New Policies: The policy review has also concluded that the inclusion of 8 new policies are required within the new Plan's chapters. The inclusion of new policies will meet current legislation and will meet updated national and local objectives.

PART 6: EMERGING ISSUES

An important part of the Monitoring Statement and the detailed policy analysis, is to help identify key planning issues and opportunities that should be addressed within the next Local Plan. The following section highlights emerging issues and brief considerations only, and will help contribute to the compiling of the Main Issues Report.

The emerging main issues:

Note: Main Issue 1 is the proposed Spatial Strategy

Main Issue 2: Climate Change and Sustainable Development

In 2018 the Scottish Government published the Climate Change Plan. This Plan was updated in 2020 to reflect the new ambitious targets set by the Scottish Government to end Scotland's contribution to climate change by 2045. Scotland has committed to reduce emissions by 75% by 2030 (compared with 1990) and to net zero by 2045.

Climate change is a key global issue and its effects are likely to have significant impacts on the quality of life for our communities in Shetland – now and in the future. The Shetland Islands Council, along with the Scottish Government, recognise that there is a global climate emergency and remain committed to ending Scotland's contribution to climate change, by promoting sustainable development that will contribute to our green recovery and transition to net zero.

The resilience of our communities must improve in order to adapt to the ever-increasing challenges of climate change. With new developments not permitted in areas where we already see climate-related changes, such as areas prone to flooding. New developments also need to be more efficient in their use of resources, and reduce reliance on vehicles, access to public transport links, and active travel means such as walking and cycling.

Mitigation of climate change also involves the protection and restoration of our carbon rich soils – or carbon stores, and the reduction of greenhouse gas emissions both during development and through the life of that development. By changing the way we site, build and use buildings, we can reduce the use of resources, energy, and waste and increase heat and thermal efficiency. This is all strongly linked to good Placemaking.

In addition to the design and construction of new buildings and developments, adapting to the projected climate changes predicted for Scotland over the lifetime of existing developments, includes retro-fitting appropriate adaptations to the current building stock and infrastructure, as well as reducing and managing flood risk.

LDP2 must reflect both the Scottish Government targets and those of the Council's yet-to-be published Net Zero Route Map.

[Post-COVID and our Green Economic Recovery](#)

As we slowly start to emerge from the global pandemic, support for our various business and industry sectors has never been so important. The COVID-19 pandemic has both highlighted and added to the vulnerability of Shetland's economy.

The Scottish Government's Green Economic Recovery is a commitment to a transition to net zero emissions. As highlighted within the Scottish Government's Update to the Climate Change Plan 2018-2032 – Securing a Green Recovery on a Path to Net Zero – our move to net zero will be undertaken in partnership with those impacted by the transition, to ensure that it is done in a way that is fair and just. This 'just transition' will ensure that we deliver a thriving sustainable economy that works for all, and which supports a climate resilient economy that delivers fairness and tackles inequality and injustice.

Part of this transition will require helping and supporting our business and industry sectors to adapt and innovate, and for them to play a leading role in the development and use of low carbon technologies which aid that transition.

LDP2 must reflect the transition to net zero, and continue to offer policy support for our local business and industry sector, to allow them to grow and thrive. This policy support must also include a commitment to encourage and push for the decarbonisation of industrial processes, and of both the use and construction of the buildings which the sector occupies.

Main Issue 3: Outdoor Access

Many of Shetland's residents and visitors are already aware of the importance of access to Shetland's valuable natural assets including its coastline, but the benefits and opportunities it provides have been further highlighted during the pandemic and lockdown, with many of Shetland's residents enjoying the health and wellbeing that outdoor activities bring. Outdoor access and recreation are also a key attraction for Shetland and a major driver of international tourism.

Outdoor access is also how we move within and around our settlements and open spaces, and how we access walking, cycling or public transport routes to access goods and services as well as the countryside. Improving physical and mental health within our community by supporting developments that encourage and promote outdoor access and active travel choices, must be a priority within LDP2.

Good access management does not stop at protecting and enhancing our existing formal routes, it also extends to how we design new developments and how we identify opportunities to create and enhance new active travel networks.

LDP2 must provide support for the continuing development and protection of our Core Paths, access routes, and other active travel route networks through and within new developments. Local Plan policy should ensure that new developments are easy to move around, with good connectivity between public open spaces and locality hubs, and that we ensure good access to walking, cycling and public transport routes.

Main Issue 4: Green and Blue Networks

Green and Blue Networks are defined as:

'Features of the natural and built environment (including water) that provide a range of ecosystems and social benefits'.

Green infrastructure includes parks, open spaces, playing fields, woodlands, wetlands, road verges, allotments and private gardens and pathways. Blue Infrastructure includes sustainable urban drainage, swales, wetlands, and other water courses.

Well designed, multi-functional green and blue networks are a fundamental component of successful places, and provide a range of benefits: improving quality of place, providing opportunities for biodiversity, to get outdoors and lead healthier lives including safe and pleasant walking and cycling, strengthening landscape character and improving vacant and derelict land.

Green and blue infrastructure can contribute to climate change mitigation and adaptation, protection against flooding and erosion.

Dual purpose areas that incorporate surface-water drainage with green infrastructure, or recreational space for example, can bring a huge host of benefits to both biodiversity and the health and wellbeing of our communities.

LDP2 must promote and encourage high standards of blue and green infrastructure provision within all types of new developments. This high standard should not just be for medium to large developments, but also for smaller developments such as single houses for example, that may form part of a future larger residential development.

A proportionate approach for single housing developments should be applied, as no single house builder should bear the burden of providing green and blue infrastructure for a larger scheme. Designing in green and blue infrastructure into a house site can be as simple as allowing room on a site for future network provision (or corridors).

There are good examples of new developments in Shetland that have incorporated combined green and blue infrastructure, creating new opportunities for biodiversity conservation and green open space with its positive effects on health and well-being. However there are examples where lack of forethought in terms of movement throughout developments, inadequate provision of open space or public realm, or inadequate provision of areas for future surface water draining network, can lead to low-quality places

Main Issue 5: Protecting our Town Centre and Village Retail Areas

Our town centre and village retail areas are the heart of our communities - they can provide access to products and services, but can also provide a focus for sustainable economic and social activity. However, they are increasingly under threat due to economic and social change.

In 2013 the Scottish Government published the Town Centre Action Plan, in response to the National Review of Town Centres. It emphasised the roll of town centres and the need to prioritise and support them by using the Town Centre First principle, in order to aid a wider decision-making that considers the health and vibrancy of town centres.

The Town Centre First Principle asks that the government, local authorities, the wider public sector, businesses and communities put the health of town centres at the heart of decision making. Whilst the Principle is not a duty and it is not prescriptive, its aims should continue to act as a guide as we develop LDP2 and this principle should extend to our villages.

While Lerwick is Shetland's only town, within each of our localities there are settlements that serve as Locality Hubs providing some retail and service offerings to the surrounding communities. In addition to this, some of our localities contain settlements that have a higher population, and provide significant employment via retail service provision and other industries. We have identified the villages of Scalloway and Brae as providing this function.

By understanding our communities own local needs and circumstances, LDP2 will continue to support an approach that maintains and promotes the health of our town centre, village retail areas and Locality Hubs. They are a key element of the economic and social fabric of Shetland. LDP2 will continue to build on policies that promote a mixture of uses that support the 'Alive after Five' principle. By promoting

an appropriate mix of uses, we ensure that they remain active and vibrant areas of commercial, service provision, and social hubs.

Attracting the correct balance through living, working, or accessing retail services, is vital for the continued survival and future success of our town centre, villages and Locality Hubs. LDP2 shall continue to direct developments that create footfall, service provision, or employment to our town centre, village retail areas and in our more remote and rural areas to the main Locality Hubs.

LDP2 will continue to support the siting of residentially compatible business and retail developments within our established settlements, in accordance with the 20-minute neighbourhood (see below) and good Placemaking principles.

Main Issue 6: Supporting our Remote and Rural Communities

Our more remote and rural communities are, by definition, distant from our main service hub Lerwick, and experience a unique set of challenges. These challenges can include economic and social decline, and de-population. Our Spatial strategy and Vision reflect our desire to support these communities and enable them to thrive.

Promoting the sustainable growth of our islands and rural communities through proactive and inclusive policies, must be a continued priority within LDP2. Policies that support house building across all tenures, support existing rural business and industry, and enable the creation of new sustainable businesses and industries, will continue to be a key aim. LDP2 policies will: enable house building across all tenures; support existing rural businesses; facilitate the creation of new sustainable businesses and industries.

LDP2 recognises the need to reduce travel and will priorities opportunities for people to live and work within our remote and rural communities, and where this is not possible, support the necessary infrastructure that will allow and enable low carbon living.

The policies contained within the current LDP were designed to support a long-term sustainable pattern of development within our remote and rural areas. LDP2 will continue that aim, and will continue to promote and support the right development in the right place.

LDP2 will also recognise that there will be particular situations where development cannot be located within existing settlements, and will need to be located in the wider countryside. Our refreshed policies will support developments where it can be demonstrated that they do not cause an adverse impact on the environment or the sustainability of the community, we still seek to avoid developments which could:

- Lead to suburbanisation of the countryside
- Place undue pressure on existing services,
- Contribute to social isolation,
- Where access to public transport or active travel choices are limited.

Main Issue 7: Digital Connectivity

The global pandemic and lockdowns have highlighted digital capacity as an issue in many parts of Shetland's rural communities and villages. Being online is essential. It connects us to friends and family, keeps us informed and entertained, and helps our mental health. Being online helps us learn, work, and shop and gives us access to essential supplies from home. It is a vital component for the sustainable economic and social growth of not just our remote and rural communities, but our town and villages. Digital connectivity is also a vital component of Shetland's many local businesses and the on-going and future prosperity of our industry and trade.

Shetland's level of connectivity is significantly below that of both the rest of Scotland and the UK as a whole. LDP2 will continue to support and promote digital infrastructure in line with the Council's Digital Strategy which seeks to eliminate this inequality. The policies included in LDP2 will support the delivery of super-fast broadband and telecommunication networks across all areas of Shetland, and any option the Council chooses as set out within the SIC Connectivity Overview report (May 2021)

Main Issue 8: Future Mineral Extraction

Scottish Planning Policy requires Local Development Plans to safeguard "*all workable mineral resources which are of economic or conservation value*" and "ensure that these are not sterilised by other development".

Shetland's mineral extraction sites make an important contribution to our economy, providing raw materials for construction, manufacturing, agriculture and other sectors that support and creates employment.

LDPs should support the identification and maintenance of a land bank of "*permitted reserves*" (approved extraction sites) for construction aggregates of at least 10 years at a time. The land bank is expressed as the sum, in tonnes, of ALL *permitted reserves* and is used primarily for monitoring purposes.

Safeguarding locally sourced minerals is vital for our local construction industry, and other industries and works that rely on aggregates. Maintaining a supply source across Shetland ensures we have the most sustainable method of aggregate supply.

Main Issue 9: Developer's Obligations

We welcome and prioritise the growth of our many communities, and LDP2 will reflect that commitment in its new and updated policies. New development can however, place additional pressure on infrastructure such as the road networks, and also services such as schools, transportation and health care facilities.

Developer obligations can be used as a contribution towards mitigating or addressing those impacts - including cumulative impacts - and can be an upfront

payment, staged payment, or a payment in kind. They are intended to ensure that developers make appropriate provision for any negative impacts a development may have, or supply additional facilities that are required to lessen any impacts a proposed development will have within or out with a development site.

Developer obligations can have a limited, but useful, role to play in the planning process. They are not statutory and are applied at the discretion of each Local Authority, however they are entered into using either planning conditions or legal agreements.

Of Scotland's 32 Local Authorities, Shetland Islands Council is one of two who currently do not seek a developer contribution through a specific LDP policy or Supplementary Guidance.

The Emerging Issues and the current LDP policies

The following section highlights the LDP policy performance in terms of the identified emerging issues. More detail is continued within the Main Issues Report, where the Preferred Option will be stated – in other words, how we intend on addressing the particular issue. Within the Main Issues Report an Alternative Option is also stated.

Main Issue 2: Climate Change and Sustainable Development

Local Development Plan 2014 contains eight policies, two Adopted Supplementary Guidance, and three Draft Supplementary Guidance documents that seek to control and mitigate climate change

These policies are:

- GP1 Sustainable Development:
- GP2 General Requirements for All Development:
- NH5 Soils
- NH 6 Geodiversity
- RE1 Renewable Energy
- WD1 Flooding Avoidance
- ED1 Support for Business and Industry
- ED2 Commercial and Business Developments

Supplementary Guidance:

- Onshore Wind Energy (adopted February 2018),
- Local Natural Conservation Sites (adopted February 2015)

Draft Supplementary Guidance:

- Water and Drainage
- Natural Heritage

- Business and Industry

Current policy: The current Local Plan contains eight policies that touch on and seek to control any developments that would have a negative effect on climate change.

Policy GP1 Sustainable Development: a very general and overarching primary policy that ensures development meets the economic and social needs of Shetland in a manner that does not compromise the ability of future generations.

Overarching policy GP2 General Requirements for All Development: builds on that by seeking to ensure that all new development is constructed and designed so as to minimise the use of energy and 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.

In terms of protection of our natural heritage, policy NH6 Geodiversity, seeks to protect the natural environment but only briefly mentions climate change. Our soils policy NH5 Soils goes into more detail regarding the importance of soil resources and functions including its storage of carbon.

Policy RE1 Renewable Energy: This policy supports the Council's commitment to delivering renewable energy developments that contribute to the sustainable development of Shetland. The policy supports renewable energy development from natural sources that are constantly and sustainably replenished such as sunlight, wind, rain, tides, wave and biomass; it also includes energy from waste.

Finally, Policy WD1 Flooding Avoidance: acknowledges that sea levels are rising and that storms will become more frequent and more severe, which may result in serious consequences for established coastal settlements. The policy ensures that developments below the 5 metre contour, are not permitted unless a suitable Flood Risk Assessment is provided. LDP contains three policies within the Economic Development chapter (along with Supplementary Guidance), two of which cover and supports business and industry and the sustainable location of proposed industrial/commercial buildings, but none set out any controls or aims on the decarbonisation of our industrial developments.

The next LDP2 should support the Vision and Objectives and to reflect current national and local policies and objectives – namely NPF3, SPP, Our Ambition (2021-2026), and Shetland Partnership Plan (2018-2028) and to better align with the forthcoming SIC Climate Change Net Zero Route Map.

Main Issue 3: Outdoor Access

Local Development Plan 2014 contains two policies and one Adopted Supplementary Guidance document that address outdoor access and active travel.

These policies are:

- GP1 Sustainable Development
- GP2 General Requirements for All Development:

Supplementary Guidance:

- The Outdoor Access Strategy (Adopted September 2019)

Current policy: The current Local Development Plan contains only two policies that touch on elements of outdoor access and active travel. The Plan does not specifically mention outdoor access, only within the justification of policy GP2 where it states that “we should build safe, pleasant and successful communities, and promote opportunities for participation in healthy lifestyles.” Opportunities to promote active travel are briefly highlighted within the justification for policy GP1 but are not mentioned within the policy itself.

Main Issue 4: Green and Blue Networks

Local Development Plan 2014 contains three policies and two Draft Supplementary Guidance documents that touch on green and blue networks

These policies are:

- GP2 General Requirements for All Development:
- WD3 SuDs
- NH7 Water Environment

Draft Supplementary Guidance:

- Placemaking
- Water and Drainage

Current policy: The current Local Development Plan contains three policies that briefly control development that may impact on surface water drainage and/or the water environment. The current LDP does not contain any blue and green network policies, nor any policies which either seek to protect existing, or develop new green and blue networks.

Main Issue 5: Protecting our Town Centre and Village Retail Areas

Local Development Plan 2014 contains two policies and one Draft Supplementary Guidance document that specifically address town centre developments.

These policies are:

- ED3 Lerwick Town Centre
- HE3 Conservation Areas

Draft Supplementary Guidance:

- Historic Environment

Current policy: The current Local Development Plan 2014 contains one policy that addresses Lerwick town centre developments; the policy does not mention rural economic centres or established shopping/retail area out with Lerwick – policy ED1 and ED2 with the Economic Development chapter mentions support for rural retail and industry within the policy its justification.

Main Issue 6: Supporting our Remote and Rural Communities

Local Development Plan 2014 contains six policies and two Draft Supplementary Guidance documents that promotes development in and around our rural communities.

These policies are:

- GP2 General Requirements for All Development
- ED1 Support for Business and Industry
- ED2 Commercial and Business Developments
- CF 1 Community Facilities and Services (incl. Education)
- H3 All Housing Development
- H5 Siting and Design

Draft Supplementary Guidance:

- Business and Industry
- Placemaking

Current policy: The current Local Development Plan contains six policies that support our rural population and seek to reverse rural depopulation. Policy GP2 General Requirements for all Development sets out the minimum requirements for any new development in Shetland. Our economic development policies also support business and industry that creates and maintains strong, healthy, vibrant and sustainable rural communities.

We would like to replace Policy GP2 General Requirements for All Development and H5 Siting and Design, with a new Placemaking policy, which will contain more detail on the principles of good siting of development and creating easy access to services in both our towns and rural settlements.

Main Issue 7: Digital Connectivity

Local Development Plan 2014 contains two policies and one Draft Supplementary Guidance document that would specifically address the installation of digital communications infrastructure.

These policies are:

- ED1 Support for Business and Industry
- ED2 Commercial and Business Developments

Draft Supplementary Guidance:

- Business & Industry: (SGED5 Services Infrastructure and SGED6 Telecommunications Developments)

Current policy: The current Local Development Plan contains only two policies that would directly guide and support the installation of digital infrastructure – notwithstanding site-specific policies. The Plan does not expressly mention digital connectivity and telecoms infrastructure, only that development proposals which help promote the health and vitality of our communities, would be supported.

Main Issue 8: Future Mineral Extraction

Local Development Plan 2014 contains one policy and one adopted Interim Planning Policy and one Draft Supplementary Guidance document that would specifically address mineral extraction.

The policy is:

- M1 Minerals Policy

Adopted Interim Planning Policy:

- Minerals (December 2009)

Draft Supplementary Guidance:

- Business & Industry

Current Policy: The current Local Plan contains one policy that specifically addresses mineral extraction sites, and further policies within the associated Interim Planning Policy: Minerals (Dec 2009). The current LDP does not provide protection for future mineral extraction sites, therefore inappropriate sited development, such as a domestic property, may sterilise that area for future mineral extraction (working times, noise, dust etc).

Main Issue 9: Developer's Obligations

Local Development Plan 2014 contains no Developer Obligation Policy or Supplementary Guidance, however the following policies seek to influence good design and mitigate against any negative impact a development may have on infrastructure or communities.

These policies are:

- GP2 General Requirements for All Development
- GP3 All Development: Layout and Design
- H4 Affordable Housing
- CF 2 Open Space

Draft Supplementary Guidance:

- Business and Industry
- Placemaking

Current policy: The current Local Development Plan does not have a developer obligation policy, nor a policy that specifically requests any type of developer contribution towards mitigating against any negative impact a new development may have on, for example, surrounding infrastructure or service provision.

There are no policies within the current LDP that secure any form of financial contribution towards infrastructure provision, or the provision of services be it in the form of payment towards schools (or their expansion), or any type of compensatory policy other than CF2 Open Space.

Policy GP2 ensures that no development has an adverse impact on surrounding uses and provides a mechanism for mitigation against developments that may have negative impacts on surrounding infrastructure. Policy GP3 ensures that new development follow the six key qualities first introduced within Designing Streets in 2001 – now superseded by Creating Places 2013. This policy also introduces the need for Masterplans and Design and Access Statements as tools to be used to ensure better design in new developments, and that Masterplans should be submitted with Major Development. However the policy uses the terms ‘may’ and ‘should’ and is advisory and not specific in its requirements.

Policy H4 on affordable housing is a contribution-in-kind policy and is the only policy that ensures that affordable housing is delivered by private house builders. The LDP’s business and industry policies provide no mechanisms for contributions. Negative impacts on surrounding uses are covered within the overarching general policies. Policy CF2 can be used as a negotiate policy, as it encourages developments that provides compensatory recreational amenity space or public realm provision, and could be used to provide a contribution in kind.

PART 7: THE NEXT LOCAL DEVELOPMENT PLAN 2

The Proposed LDP2 Spatial Strategy

LDP2 must contain a spatial strategy in order to set out our proposals for the development and use of land.

- Take a proactive and planned approach to identify land for development within our localities based on levels of housing demand identified in the Housing Needs and Demand Assessment (HNDA) and by the analysis of past completions in our annual Housing Land Audits and Employment Land Audits.
- Work with infrastructure providers to seek information on existing infrastructure capacity and future infrastructure development, this information has informed the strategy.
- The Shetland Partnership Plan, the Economic Development Strategy and the 10 year Plan will all inform the strategy. LDP2 will share the vision these documents have to improve the lives of everyone in Shetland and the aim to attract people to live, work, study and invest in the isles. To enable these strategies to be achieved we must identified an effective supply of land in LDP2 to meet the demands of housing, business & industry.

Our next Spatial Strategy must acknowledge development pressures, environmental assets and the economic and physical needs of our diverse communities. It also must support diversification and growth in both our urban and rural areas.

Identifying Preferred Areas for Growth for LDP2

As a planning authority we have an important role in making sure that our communities continue to grow at a sustainable rate, that infrastructure such as roads, schools, water and sewage systems can be planned to accommodate more housing and that important land is not sterilised from future development.

A Call for Sites process was undertaken, and involved the Council's Planning Service identifying land that may be suitable for new housing, business and industrial development.

The Preferred Areas for Growth were identified as predominantly within settlements that have experienced a higher demand for housing, where we have seen more houses built in the last 15 years and where a denser settlement pattern is evident. We have an important role in making sure that these communities continue to grow at a sustainable rate, that infrastructure such as roads, schools, water and sewage systems can be planned to accommodate more housing and that important land is not sterilised from future development.

We need to balance this need for sustainable growth with the need to safeguard our environmental assets, making sure new development is located away from land which has been designated to be of both national and local importance eg. SACs, SPAs, Ramsar, SSSI's, NSAs, MPAs, SMs, LNCS but also recognise that features of interest are not restricted to designated sites and developments are looked at on a case by case basis during the Development Management process

We need to focus development in settlements that are capable of sustaining future growth and which have the infrastructure capacity to do so. Importantly, we need to ensure that growth is spread throughout all our localities to ensure that our existing communities can thrive and our population is well supported.

- 21 settlements in total have been identified, which have this potential, and specific areas within these settlements have been marked out on the spatial strategy as 'Preferred Areas for Growth' housing development.
- We also identified preferred areas for business and industry development in Lerwick, and mixed-use sites in areas outside Lerwick.

To ensure that we are able to plan for sustainable and attractive communities, the majority of the Preferred Areas for Growth were located less than 800m distant from community facilities, such as shops, schools, community halls etc.

Our Preferred Areas for Growth are predominantly within settlements that have experienced:

- a higher demand for housing
- where community facilities are within close proximity
- where we have seen more houses built in the last 15 years
- where a denser settlement pattern is evident
- Suitable Infrastructure

- Service provision
- 800 metre walkable distance to basic services

What about development outside Preferred Areas of growth?

Settlement growth in areas not identified as Preferred Areas of Growth has not been discounted and we will consider all proposals that come forward as part of the Planning process. This is where the historic build pattern has been primarily for single house sites and planning applications will still be expected to come forward for these types of sites. Single house developments are valuable in their role of strengthening community viability. In planning terms, we refer to developments like these as ‘*windfall sites*’ – or unplanned house sites - which have not been specifically identified within the LDP process – windfall is an established delivery mechanism for housing in our more rural areas.

We have considered that it would not be beneficial to identify large areas of land within these settlements, as we expect housing development to continue to come forward for smaller developments of 3 or fewer houses on windfall sites, through the planning application process.

It is expected that windfall development will continue to be an important delivery solution in LDP2. Supporting our remote and rural communities in Shetland has always been a priority within our Local Development Plans, and will continue to be an important priority. LDP2 will still support suitably located and designed development outwith our preferred areas of growth, and on non-allocated sites.

Hierarchy of development:

In order to guide future growth aspirations during the lifetime of the plan, we have established a hierarchy of development as follows:

Allocations – Sites which have been submitted as part of the ‘Call for Sites’ process’ and have been assessed and deemed suitable for development. These sites are predominantly in or adjacent to Areas of Preferred Growth.

Non-Allocated sites within Preferred Areas of Growth. These are developments not identified in LDP2 as allocations but which are located in or adjacent to 1 of the 21 identified settlements where it would be desirable to locate future development. These are areas within settlements which have the capacity, and proven demand, for growth.

Windfall – Developments on land which have not been allocated for a future land use within the Local Development Plan, but which still provide an essential delivery mechanism for new housing, and small scale business and industry. These sites are normally small in size (1 – 2 housing units) and are most frequently located in rural areas. They may be located within or outwith areas of preferred growth. As with any new development, such sites will be required to comply with all current National and Local Policy.

The Call for Sites

As part of our strategic planned approach we undertook a call for sites, asking developers and landowners to come forward with land they would be interested in seeing developed for housing, business or industry, we were looking for sites which were located within the areas we had identified as Preferred Areas of Growth and for larger developments of 3 or more housing units. These sites have been assessed by the Planning Service in conjunction with key agencies and service providers. Sites we think are suitable for development and which help deliver on the housing need are identified within LDP2 as 'allocations'. These sites can also be seen on the Spatial Strategy map and in more detail on the Potential Allocation Story Map.

Reference	Site Name	Class / Type	Units	Size (ha)	Recommendation	Time period (years)
TCM001	Gardie, Weisdale	9 / Residential	5 to 6	1.13	Preferred	0 to 5
TCM002	Site Adjacent to Stenswall, Weisdale	9 / Residential	4 to 5	1.00	Preferred	0 to 5
TCM003	Hellister, Site 1, Weisdale	9 / Residential	3 to 4	0.89	Preferred	0 to 5
TCM004	Hellister, Site 2, Weisdale	9 / Residential	c25	3.89	Preferred, concerns regarding suitability of eastern area	0 to 5
TCM005	Site 2, Veensgarth, Tingwall	9 / Residential	16	2.36	Preferred	0 to 5
TCM006	Site 1 & 1a, Veensgarth, Tingwall	9 / Residential	13	1.85	Preferred	0 to 5
TCM007	Gaet-a-Gott, Tingwall, Phase 4	9 / Residential	c80	4.79	Preferred	0 to 5
TCM008	Greenwell, Tingwall	9 / Residential	c60	4.24	Preferred	0 to 5
TCM009	Wharls, Trondra	9 / Residential	3 to 5	2.40	Preferred, concerns regarding suitability of eastern section (site within NSA)	0 to 5
TCM010	Herrislea	9 / Residential	c38	2.50	Preferred	0 to 5
TCM011	Windy Grind	9 / Residential	5	0.40	Not Preferred	0 to 5 start, development completed over 10 years

TCM012	Nesbister, Whiteness	9 / Residential	c36	5.20	Partially Preferred, area around existing road suitable, with concerns regarding areas to west and east	0 to 5 start; Development phased over 15 years
TCM013	Wormadale, Whiteness	9 / Residential	c25	3.50	Preferred	0 to 5 start; Development phased over 15 years
TCM014	Breck, South Whiteness	9 / Residential	3 to 5	0.85	Preferred	0 to 5
TCM015	Old School Road	9 / Residential	3 to 5	1.67	Preferred	0 to 5
TCM016	Sundibanks	9 / Residential	c20	3.30	Not Preferred	Phased over 0 to 5 AND 5 to 10
TCM017	Endavoe, Scalloway	2 / 4 / 5 / 6 / 9 Mixed Use	N/A	1.81	Preferred	0 to 5
TCM018	Port Arthur, Scalloway	9 / Residential	38	2.19	Preferred	0 to 5
TCM019	Anna's Park	9 / Residential	3	0.50	Preferred	0 to 5
TLK001	Wista	9 / Residential	6	0.22	Preferred	0 to 5
TLK002	Staneyhill	4 / 9 Residential	320	25.25	Preferred	0 to 5
TLK003	Black Hill Industrial Estate	5 / Industrial	N/A	2.65	Preferred	0 to 5
TLK004	Dales Voe	5 / Industrial	N/A	10.50	Preferred	0 to 5
TLK005	Gremista	5 / Industrial	N/A	0.56	Preferred	0 to 5
TLK006	Gremista (2)	5 / Industrial	N/A	1.21	Preferred	0 to 5
TLK007	Gremista (3)	5 / Industrial	N/A	13.03	Preferred	5 to 10
TLK008	Gremista (4)	5 / Industrial	N/A	0.29	Preferred	0 to 5
TLK009	Rova Head, Gremista	5 / Industrial	N/A	7.60	Preferred	5 to 10
TLK010	Rova Head (2), Gremista	5 / Industrial	N/A	10.22	Preferred	0 to 5
TLK011	Rova Head (3), Gremista	5 / Industrial	N/A	5.78	Preferred	0 to 5
TLK012	Land Adjoining Decca Station, Lerwick	4 / 5 / 6 Ind	N/A	3.30	Preferred, some industrial uses may be inappropriate due to adjoining land use	Phased over 0 to 5 AND 5 to 10
TLK013	South Hoofields, Ladies Drive	9 / Residential	12	0.70	Preferred	0 to 5

TLK014	Land at Lochside, Staney Hill Road, Lerwick	9 / Residential				
			180	10.30	Not Preferred	Unknown
TLK015	Viewforth	9 / Residential	3	0.18	Preferred	0 to 10
TLK016	Staney Hill Ind. Est. South Parks	5 / Industrial	N/A	7.90	Preferred	0 to 5
TLK017	Sands of Sound and Ness of Sound Fields	9 / Residential	80	6.10	Preferred	10 to 20
TLK018	Land next to Seafield Football Pitch	10 / Residential	15-18	1.00	Preferred	10 to 20
TLK019	Old Eric Gray Site	9 / Residential	5	0.40	Preferred	0 to 10
TLK020	The Knab	9 / Residential	c120	6.10	Preferred	0 to 10
TLK021	Land next to Hillgrind, Hoofields	9 / Residential	50	3.20	Preferred	5 to 10
TLK022	Sands of Sound and Ness of Sound Fields	9 / Residential	60	3.90	Preferred	5 to 10
TLK023	Land next to College, Gremista	5 / Industrial	N/A	0.35	Preferred	5 to 10
TLK024	Land Adjacent to Quarry, Staneyhill (North Park)	5 / Industrial	N/A	5.55	Preferred	5 to 10
TNI001	Bank End, Ulsta	9 / Residential	3	0.51	Preferred	5 to 10
TNM001	Ladies Mire, Brae	9 / Residential	4	0.07	Preferred	0 to 5
TNM002	Fiblister, Ollaberry	9 / Residential	12	3.67	Not Preferred	5 to 10
TNM003	Sellaness	5 / Industrial	N/A	18.30	Preferred	0 to 5
TNM004	Scatsta, Brae	5 / Industrial	N/A	43.60	Preferred	0 to 5
TNM005	Urafirth Old School	10 / Non-Residential	N/A	1.50	Preferred	0 to 5
TSM001	Pundsta Place, Cunningsburgh	9 / Residential	22	0.98	Preferred	0 to 5
TSM002	South Hoswick, Sandwick	9 / Residential	12	1.20	Preferred, but not for the proposed density. Site is likely to be appropriate for 3-4 units maximum	0 to 5
TSM003	A970, Shetland Islands, Scotland, United Kingdom, ZE2 9HB	9 / Residential	2 to 4	0.30	Preferred	0 to 5
TSM004	Area 1, Lower Hillside, Gulberwick	9 / Residential	15	2.05	Preferred	0 to 5
TSM005	Area 2 Lower Setter, Gulberwick	9 / Residential	33	4.67	Preferred	0 to 5

TSM006	Area 3, Mid Setter, Gulberwick	9 / Residential	6	0.83	Preferred	0 to 5
TSM007	Area 4 Upper Setter, Gulberwick	9 / Residential	44	6.13	Preferred	0 to 5
TSM008	Area 5, Heathy Park, Gulberwick	9 / Residential	9	1.23	Preferred	0 to 5
TSM009	Muggator, Easter Quarff	9 / Residential	36	5.65	Preferred	0 to 5
TSM010	Megston, Wester Quarff	9 / Residential	13	4.26	Not Preferred	0 to 5
TSM011	Brakefield, Sandwick	9 / Residential	7	1.10	Preferred	5 to 10
TSM012	Mid Stove, Sandwick	9 / Residential	28	4.20	Preferred	10+
TSM013	Stove, Sandwick	9 / Residential	5	0.70	Preferred	0 to 5
TSM014	Whirligarth, Sandwick	9 / Residential	3	0.40	Preferred	0 to 5
TSM015	Quarff House, Quarff	9 / Residential	20+	6.94	Partially Preferred, two northern areas appropriate. Concerns regarding access to two southern sections.	0 to 5
TSM016	Westside, Fladdabister	9 / Residential	6	3.46	Not Preferred	0 to 5
TSM017	Land at Brindister Quarry	4 / 5 / 6 Ind	N/A	23.50	Preferred	Unknown
TSM018	Glebe Park, Quarff	9 / Residential	c12	1.80	Preferred	0 to 5
TSM019	Land at Gulberwick	9 / Residential	45	7.00	Preferred	Phased over 0 to 5 AND 5 to 10
TSM020	Old Main Road, Cunningsburgh	9 / Residential	3	0.60	Not Preferred	0 to 5
TSM021	Westside, Fladdabister, Cunningsburgh	9 / Residential	5	2.20	Preferred	0 to 5
TSM022	Westside, Fladdabister	9 / Residential	3	0.50	Preferred	0 to 5
TWM001	Marthastoon, Aith	9 / Residential	8	0.33	Preferred	0 to 5
TWM002	Old Aith School	9 / Residential	3	0.36	Preferred	0 to 5
TWM003	Adjacent to Kirkside, Walls	9 / Residential	4 to 6	0.40	Preferred	0 to 5

The SEA process was fully integrated into the site assessment process. All sites were subject to a desk based GIS assessment to identify known constraints e.g. designated sites. All sites were then visited by planning officers and further

information collected. All key internal departments, national and local agencies were contacted for initial comments

The Proposed LDP2 Vision

“Shetland continues to be a place with a rich and varied natural environment; high quality cultural environments; vibrant thriving communities; a place to live, work, study and invest; that supports economic growth; where we continue to deliver fairer and greener development, and help build sustainable, resilient, and successful places now and for future generations”

Our Vision for Shetland’s new Local Development Plan 2 has been developed through analysis of:

- the Scottish Government’s National Planning Framework 3 (NPF3)
- NPF3 - sixteen National Outcomes, including the four National Planning Outcomes.
- It is also mindful of the aims and objectives currently being proposed within the draft National Planning Framework 4 (NPF4).

Our new Local Development Plan will support the Council’s Vision:

“Of working together to create a Positive, Confident and Sustainable future for Shetland. A Shetland where the community’s Opportunities attract people of all ages to live, work, study and invest in our islands” (Our Ambition 2021 – 26).

LDP2 will support the Council’s Vision by:

- The creation of new affordable housing supply
- COVID-19 – recovery
- Sustainable economic development
- Tackling climate change and our route to Net Zero
- The ‘just transition’ away from hydrocarbons to low-carbon alternatives
- Digital infrastructure and better connectivity
- Better wellbeing through better design
- Healthy, sustainable, low-carbon travel choices

Our new Local Development Plan will also support The Shetland Partnership Plan’s shared Vision of

“Shetland is a place where everyone is able to thrive; living well in strong, resilient communities; and where people and communities are able to help plan and deliver solutions to future challenges”

LDP2 will support the Partnership’s Vision by:

- The creation of positive and attractive places to live
- Sustainable economic development
- Tackling climate change and reducing our carbon emissions

- Better wellbeing through better design
- Protecting and improving our outdoor spaces and natural environment

To help realise this Vision, our next Local Development Plan 2 will be supported by a series of policy aims and objectives.

The Proposed LDP2 Objectives

- Ensure that we build high quality, low carbon places, which meet the challenges of climate change and help secure a green recovery on our path to net zero;
- Apply a placemaking or place-based approach to development to create sustainable, welcoming, well connected and distinctive places that are safe, promote wellbeing and are inclusive;
- Promote sustainable development that reduces the need to travel, reduces reliance on private cars and promotes safe and convenient active travel opportunities;
- Help deliver enough land for well-designed, well-built, and well-located homes and ensure that there are increased opportunities to access local affordable housing;
- Ensure that our natural, marine, cultural and built heritage are protected and enhanced, and where we recognise the multiple benefits of outdoor access, local green spaces and networks, as integral components of successful Placemaking;
- Create places that attract new, and support existing business and industry, by ensuring that there is a strong, diverse, and sustainable economy;
- Support our rural communities and help them thrive, by promoting and supporting new appropriate developments and business opportunities;
- Ensure our town centres and Conservation Areas are protected and enhanced, and that our towns are vibrant cultural, social, and economic hubs; and
- Promote Shetland as a welcoming and desirable place to visit, by promoting high quality sustainable developments that enhance our natural and built environments, and which build on the unique characteristics that will ensure Shetland remains a key Scottish tourist destination.

Further Reading & References

- [Scottish Planning Policy 2014 Requirements for Development Plans:](#)
- [Scottish Government Planning](#)
- [Climate Change Plan 2018 - 2032 Securing a Green Recovery on a Path to Net Zero](#)
- [Planning Bill \(proposed to lay regulations and publish guidance relating to LDPs in Q4 2021\).](#)
- [The National Islands Plan \(Islands Scotland Act 2018\)](#)
- [Shetland Partnership Plan 2018 – 2028](#)
- [Shetland Islands Council Economic Development Strategy 2018 – 2022](#)
- [Creating Places 2013](#)
- [Housing to 2040: a conversation](#)
- [The Environment Strategy for Scotland: vision and outcomes](#)
- [Marine \(Scotland\) Act 2010](#)
- [The Protection of Seals \(Designation of Haul-Out Sites\) \(Scotland\) Order 2014](#)
- [SNH Landscape Policy: wild land](#)
- [United Nations Sustainable Development Goals](#)
- [UN Aichi Targets](#)
- [Scotland's Biodiversity: a route map to 2020.](#)
- [Protecting Scotland's Future: the Government's Programme for Scotland 2019-20](#)
- [Scotland National Outcomes and Performance Framework](#)
- [Scotland's Environment Strategy \(2020\).](#)
- [Scottish Soil Framework](#)
- [Scotland's National Peatland Plan \(2015\)](#)
- [Carbon and peatland map 2016 & Carbon-rich soils.](#)
- [Guidance on Development on Peatland – Peatland Survey \(2017\)](#)
- [The Waste Management Licensing \(Scotland\) Regulations 2011](#)
- [Our Place in Time: the Historic Environment Strategy for Scotland](#)
- [Historic Environment Scotland Policy Statement June 2016:](#)
- [Our Place in Time: the Historic Environment for Scotland \(Vision\)](#)
- [PAN 71: Conservation Area Management](#)
- [Scottish Government's Policy on Control of Woodland Removal: Implementation Guidance](#)
- [Scotland's' Forestry Strategy](#)
- [Scottish Government's Control of Woodland Removal Policy](#)
- [National Marine Plan \(2015\)](#)
- [Shetland Isles Regional Marine Plan Consultation](#)
- [Joint Aquaculture Statement \(2017\)-](#)
- [Scotland's 10 Year Farmed Fish Health Framework](#)
- [Technical Standard for Scottish Finfish Aquaculture-](#)
- [The updated PDR Order -](#)

- [Updated EIA Regulations:](#)
- [Aquaculture Planning Circular 1/2015:](#)
- [SG Planning and Consenting pages -](#)
- [Shetland Islands Council: Placemaking Guidance](#)
- [Planning Advice Note 67: Housing Quality](#)
- [Lerwick Town Centre Health Check 2018](#)
- [Town Centre Living: A Caring Place – A&DS March 2019](#)
- [Designing Streets: A Policy Statement for Scotland 2010](#)
- [Shetland Transport Strategy Refresh 2018-2028](#)
- [National Transport Strategy \(NTS2\) - Delivery Plan – 2020 to 2022](#)
- [National Roads Development Guide Variations for Shetland Islands Council Area](#)
- [Planning Advice Note 50: controlling the environmental effects of surface mineral workings](#)
- [Planning Advice Note 64: reclamation of surface mineral working](#)
- [European Union Directive 2008/98/EC on waste \(Waste Framework Directive\).](#)
- [Scottish Government Planning and Waste Management Advice Note \(updated July 2015\)](#)
- [Scottish Government's Zero Waste Plan \(June 2010\).](#)
- [Orkney and Shetland Area Waste Plan \(March 2003\).](#)
- [Making Things Last A Circular Economy Strategy for Scotland \(February 2016\).](#)
- [SEPA Climate Change Commitment Statement](#)
- National Records of Scotland (2017) 'Shetland Islands Council Area Profile' <https://www.nrscotland.gov.uk/files//statistics/council-area-data-sheets/shetland-islands-council-profile.html>
- National Records of Scotland (2017) 'Mid-Year Population Estimates Scotland, Mid-2016' <https://www.nrscotland.gov.uk/files//statistics/population-estimates/mid-year-2016/16mype-cahb.pdf>
- Shetland Arts (2020) 'Annual Summary 2019/2020' https://c.shetlandarts.org/assets/files/10741/sada_19_20_annual_summary_v2_web.pdf
- UK Government (2018) 'Children in out-of-work benefit households: 31 May 2017' <https://www.gov.uk/government/statistics/children-in-out-of-work-benefit-households-31-may-2017>
- Scotland's Census (2021) 'Census results' <https://www.scotlandscensus.gov.uk/search-the-census#/>
- Scottish Government (2020) 'Scottish Index of Multiple Deprivation 2020' <https://www.gov.scot/collections/scottish-index-of-multiple-deprivation-2020/>
- Scottish Government (2017) 'Scottish Index of Multiple Deprivation: rural deprivation evidence review' <https://www.gov.scot/publications/scottish-index-of-multiple-deprivation-rural-deprivation-evidence-review-and-case-studies/>

- HIE (2020) 'Highlands and Islands area profiles 2020: Shetland'
<https://www.hie.co.uk/media/10596/shetland-area-profile-2020.pdf>