



Development Plan Scheme

2024-25

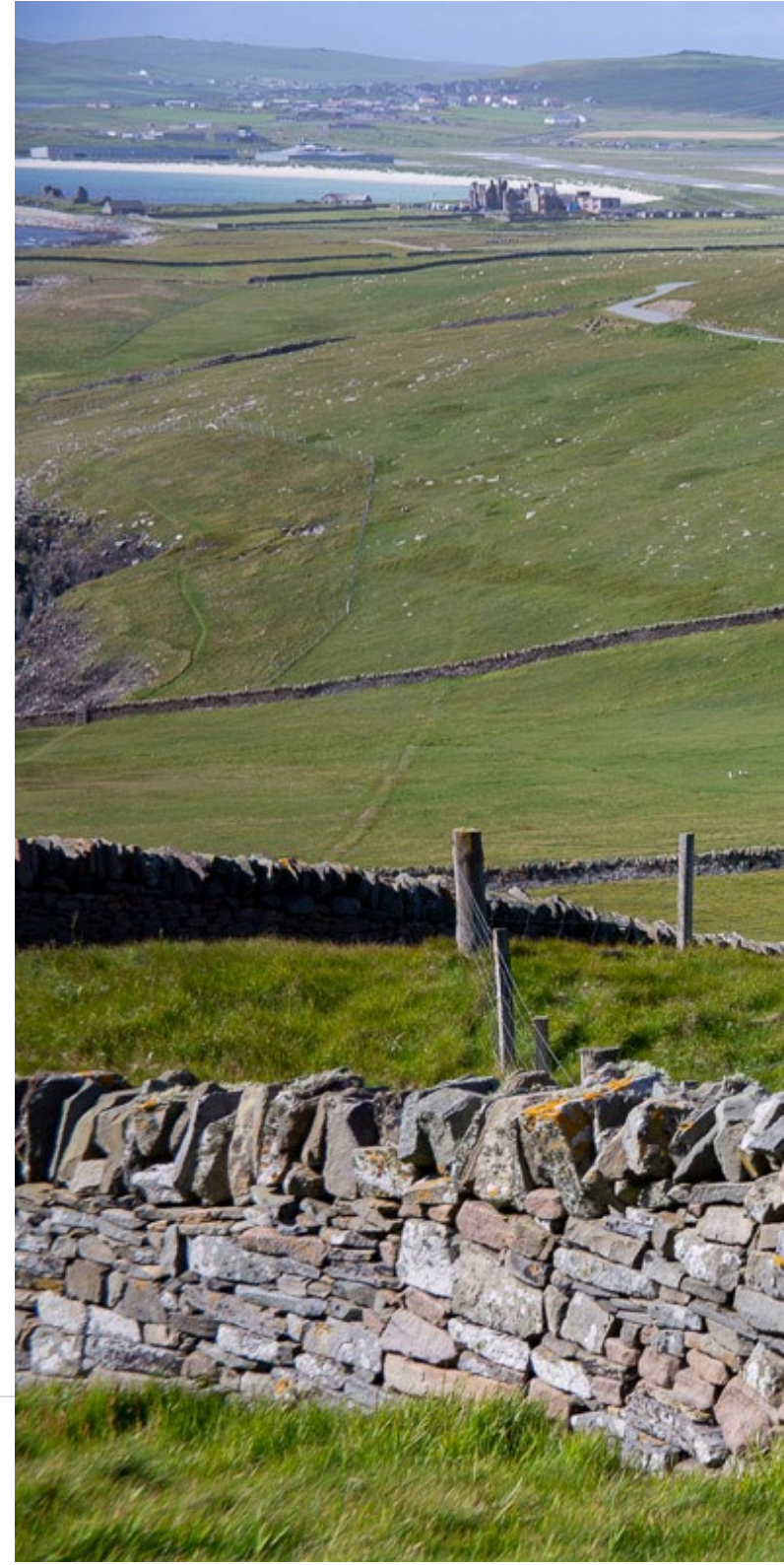


SHETLAND
ISLANDS COUNCIL

SHETLAND Local Development Plan

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What is a Development Plan Scheme?

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

This Development Plan Scheme will cover the following:

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



What is a Development Plan?

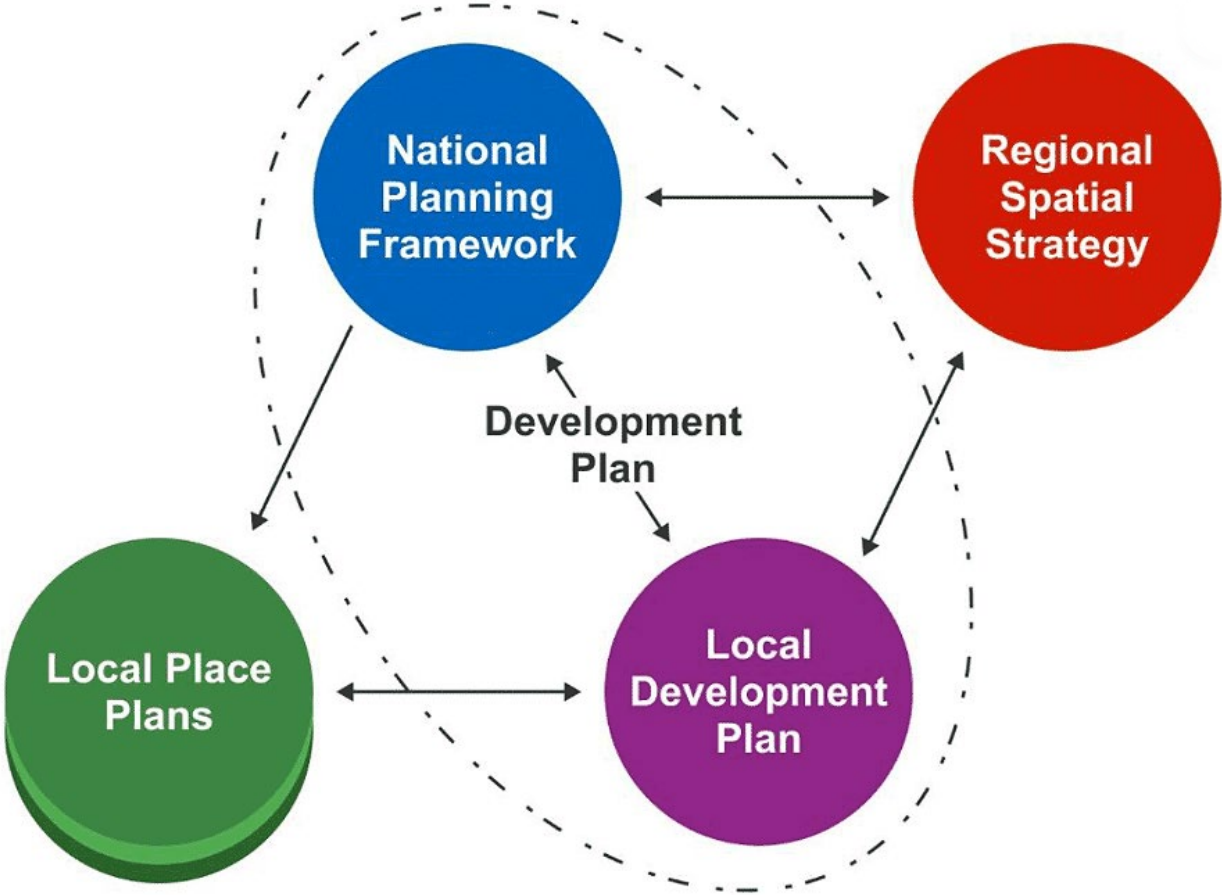
The planning system in Scotland is plan-led. Development planning is required to manage the development and use of land in the long-term public interest.

Development plans set out how places will change into the future, including where development should and shouldn't happen. Development plans show where new homes and workplaces will be built, how services and facilities such as schools and travel will be provided, and identify the places and buildings we value and want to protect. Plans bring together many different sectors and interests to achieve the desired change for places and communities.

The statutory 'development plan' comprises the National Planning Framework (NPF) which covers all of the country, and the local development plan (LDP) for each planning authority area.

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

THE STATUTORY DEVELOPMENT PLAN AND RELATED PLANS



THE STATUTORY DEVELOPMENT PLAN & RELATED PLANS

National Planning Framework (NPF)

The National Planning Framework sets out the Scottish Ministers' policies and proposals for the development and use of land.

The NPF must have regard to any adopted regional spatial strategy.

NPF4 is part of the statutory development plan.

The National Planning Framework 4 was adopted and came into force in February 2023. National Planning Framework 4 can be viewed online here: [National Planning Framework 4 - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Regional Spatial Strategies (RSS)

The Planning (Scotland) Act 2019 introduced a new duty requiring the preparation of regional spatial strategies.

A planning authority, or authorities acting jointly will prepare these long-term spatial strategies for the strategic development of an area.

RSS are not part of the statutory development plan, but have an important role to play in informing future versions of the NPF and LDPs.

The Scottish Government Guidance on preparing a RSS has not yet been published. As part of Local Authorities' input into the NPF4 plan making process we were required to produce an Indicative Regional Spatial Strategy (IRSS). The iRSS can be viewed online here: shetland-indicative-regional-spatial-strategy

Local Development Plans (LDPs)

Planning authorities must prepare one or more LDPs for their area.

The LDP sets out a spatial strategy for the development of that area. It must take into account the National Planning Framework and any registered local place plan in the area it covers. It must have regard to the authority's adopted regional spatial strategy. The LDP must also have regard to any local outcomes improvement plan for the area it covers.

LDPs are part of the statutory development plan.

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

Local Place Plans (LPPs)

Local place plans are community-led plans setting out proposals for the development and use of land. They must have regard to the NPF, any LDP which covers the same area, and also any locality plan which covers the same area.

LPPs are not part of the statutory development plan, but have an important role to play in informing LDPs.

We will invite Communities to produce a LPP shortly after we commence work on the LDP, which will be immediately after our DPS has been adopted.

What will the next Local Development Plan look like?

“LDPs should tell a clear and compelling story about the future of places.”

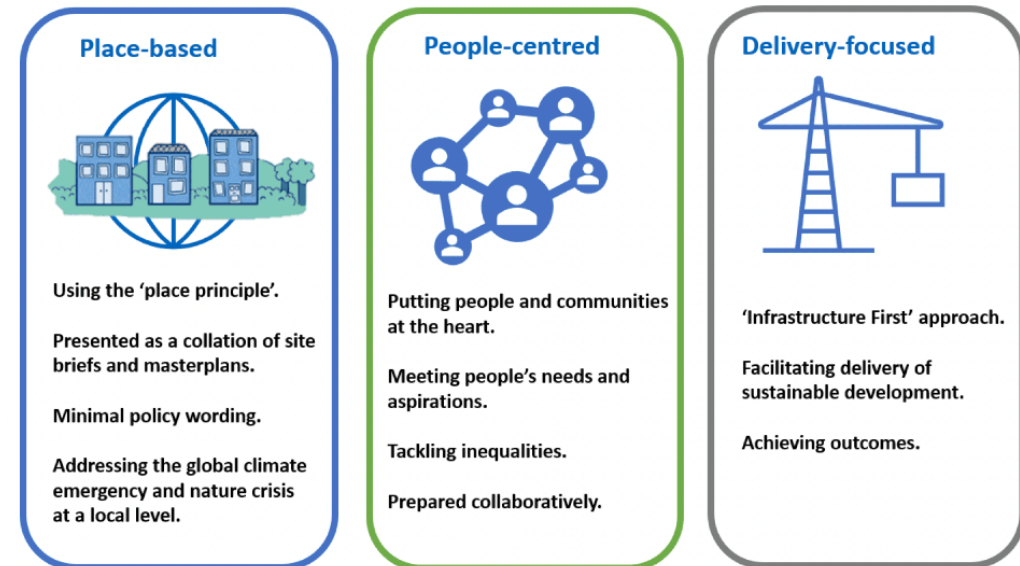
Significant changes were introduced by the Planning (Scotland) Act 2019 which means that the next Local Development Plan is likely to be a very different plan to the one adopted in 2014, with a different method used in its preparation and different stages that it will have to pass through.

Local Development Plans are expected to be place-based, visual plans which include a clear spatial strategy reflected in a collection of maps, development briefs and masterplans.

There is an expectation that they will contain considerably less lengthy written text and policy.

LDPs should implement national planning policies by setting out a spatial strategy that shows what they mean for change and development in a particular place.

The Scottish Government sets out 3 key expectations of Development Plans:



What are the stages of Plan Preparation?

The first thing the Planning Service needs to do is to commence work on plan preparation of the LDP.

There are 3 main stages to LDP Plan Preparation:

- EVIDENCE GATHERING & GATECHECK
- PROPOSED PLAN & EXAMINATION
- ADOPTION & DELIVERY

Evidence Gathering & Gatecheck

The first stage in preparing a local development plan requires us to prepare an Evidence Report.

The purpose of the Evidence Report is to improve the quality and effectiveness of the plan by ensuring it is based on robust data for the area and inform what to plan for, allowing the Proposed Plan to look at where development should take place.

Evidence required includes

- The physical, cultural, economic, social, built heritage and environmental characteristics of the area;
- The size, composition, health and distribution of the population;
- Housing, healthcare and education needs, and
- Infrastructure systems for the supply of water, energy, transport & communications.

Engagement with interested parties & topic specialists will be required during the preparation of the Evidence Report. It will also be necessary to

obtain ‘lived-in’ evidence from communities across the islands to inform the evidence base.

It is during this part of the plan making process that the scoping of the Strategic Environmental Assessment will take place and a site appraisal methodology will be established.

It is also at this stage that the Planning Authority will invite communities to prepare Local Place Plans.

The Evidence Report is subjected to a “**Gate Check examination**” to provide an independent assessment of whether the planning authority has gathered sufficient information that is well researched, relevant and robust to allow it to proceed to the stage of preparing a Proposed Local Development Plan. A Reporter from the Directorate of Planning and Environmental appeals (DPEA) will consider both the evidence presented and any disputes to its relevance. It may ask Shetland Islands Council to present additional information if it is thought to be lacking in any way.

Proposed Plan & Examination

The second stage in plan preparation requires us to commence work on preparing a **Proposed Local Development Plan** document.

At the beginning of this stage we will undertake a “Call for sites & Ideas” This would see us inviting everyone to propose ideas for any aspect of the plan, including suggestions for development sites. Proposals submitted at the Call for sites & Ideas should support the outcomes from the Evidence Report, and the objectives set for the proposed plan to achieve those objectives. Sites specifically identified for development will have to be confirmed as being deliverable and free from constraints as far as possible. Undeveloped sites in the current Local Development Plan and any sites submitted in the earlier Call for Sites will be carried forward, re-evaluated, some may be removed if they no longer meet the plan

objectives or if the site submitter no longer wishes to pursue development.

We would anticipate that any **Local Place Plans** that Communities wish to have incorporated in the Local Development Plan should be complete and will be registered at this point*.

Full strategic transport, equalities, island, environmental, and flood risk assessments would be undertaken by the Council on all proposals during analysis of the ideas presented.

From all of this evidence it is then possible to proceed to the physical production of the Local Development Plan. The Proposed Plan will identify a spatial strategy and areas for development within Shetland. After engagement with a wide range of stakeholders, organisations, and members of the public, the Proposed Plan will be subject to a statutory minimum consultation period of 12 weeks.

After the consultation period has ended, the Council can choose to modify the Proposed Plan, with any modifications being subject to a further period of consultation. After these modifications, the Proposed Plan is then submitted to the DPEA for **Examination** (if no modifications are made, the Proposed Plan is submitted straight for Examination).

*While Local Place Plans can be produced at any time their integration with the Local Development Plan will be greatly facilitated if they are prepared and submitted early in this stage, a specific date will be made clear and be well publicised.

Adoption and Delivery

A Reporter from the Directorate of Planning and Environmental Appeals will undertake an examination of the proposed plan. Shetland Islands Council will then consider the Report of the Examination and any recommendations for modifications it contains. Once any modifications have been undertaken, the Council can adopt the Plan.

Once adopted, the new LDP will form part of the constituted Development Plan for Shetland alongside NPF4.

As the new LDP will be the newer plan, it will outweigh NPF 4 policies in the assessment of planning applications where there are any differences/conflicts between the two documents.

The **Delivery Programme** is the final stage in the process of preparing the new LDP and will set out how the plan will be implemented. This programme will detail how policies, proposals, and delivery of the land for development in the plan will be met through a list of actions with associated timescales.

Delivery programmes are a crucial stage in coordinating future development and allocating resources to the implementation of the new LDP.

Other related work:

Running alongside the LDP plan preparation work we will also be:

- Supporting Communities to prepare Local Place Plans
- Supporting Delivery on the ground through involvement in Masterplan delivery projects and Place Based community development initiatives
- Inputting into other Local Authority and Stakeholder strategies and policies where it relates to Spatial Planning
- Producing an RSS

Local Development Plan Preparation: Timetable for Delivery By CALENDER YEAR

(Subject to the details of new regulations and guidance)

2024			2025			2026			2027			2028		
Jan	Feb	Mar	Jan	Feb	Mar	Jan	Feb	Mar	Jan	Feb	Mar	Jan	Feb	Mar
Apr	May	Jun	Apr	May	Jun	Apr	May	Jun	Apr	May	Jun	Apr	May	Jun
Jul	Aug	Sept	Jul	Aug	Sept	Jul	Aug	Sept	Jul	Aug	Sept	Jul	Aug	Sept
Oct	Nov	Dec	Oct	Nov	Dec	Oct	Nov	Dec	Oct	Nov	Dec	Oct	Nov	Dec

1 EVIDENCE GATHERING Q1 2024 – Q2 2025

2 GATECHECK Q3-Q4 2025

3 PROPOSED PLAN STAGE Q4 2025 – Q4 2026

4 EXAMINATION Q4 2027 – Q2 2028

5 ADOPTION & DELIVERY Q3 2028

DPS & PARTICIPATION STATEMENT APPROVED
FORMALLY COMMENCE PLAN PREPARATION
INVITE COMMUNITY TO PREPARE LOCAL PLACE PLANS
DATA COLLECTION AND EARLY ENGAGEMENT
DRAFT EVIDENCE REPORT TO COUNCIL
COUNCIL APPROVED EVIDENCE REPORT SUBMITTED TO DPEA
GATECHECK

EVIDENCE REPORT AT GATECHECK
SUFFICIENCY REPORT RECEIVED FROM DPEA

OPEN CALL FOR SITES & IDEAS
PLAN PREPARATION (INCLUDING ASSOCIATED ASSESSMENTS)
INCLUDING ENGAGEMENT
CONSULT ON DRAFT PROPOSED PLAN
PREPARATION- OF SCHEDULE 3 FORMS
SUBMIT PROPOSED PLAN TO SCOTTISH MINISTERS FOR EXAMINATION

EXAMINATION PERIOD

ADOPT PROPOSED PLAN
PREPARE DELIVERY PROGRAMME
PUBLISH DELIVERY PROGRAMME

Impact Assessments and the Local Development Plan

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

IMPACT ASSESSMENTS AND THE LOCAL DEVELOPMENT PLAN:

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

Strategic Environmental Assessment

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

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

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

Habitats Regulations Appraisal

The Conservation (Natural Habitats, &c.) Regulations 1994, requires a Habitats Regulation Appraisal to be undertaken.

A Habitats Regulations Appraisal of the potential impacts of the Plan on European Sites will be undertaken as part of the Local Development Plan. There are a number of designated European sites in Shetland and our plans and policies will be considered against their potential to have an adverse impact on these protected sites.

We will consult Scottish Natural Heritage in preparing our Habitats Regulations Appraisal.



Equality Impact Assessment

Planning authorities are required to respect, protect and fulfil human rights in accordance with the Human Rights Act 1998.

As per the Equality Act 2010, the Public Sector Equality duty is applicable and Equality Impact Assessments, Fairer Scotland Duty Assessments are required for LDPs

Island Communities Impact Assessment

Under the Islands (Scotland) Act 2018 we have a duty to undertake an Island Communities Impact Assessment (ICIA). This will be published alongside the proposed plan.

Our islands face particular challenges around distance, geography, connectivity and demography, so it is important that as policy makers we consider these properly. It is also important that we make sure islands receive fair and equitable treatment and that our policies, strategies or service outcomes are tailored to their unique circumstances.



PART 2

Participation Statement & Engagement Techniques:

What is a Participation Statement?

At the heart of the preparation of the new LDP is the Government's expectation and the Council's wish that we inform, engage, collaborate, involve, and consult with a wide range of organisations, stakeholders, and people who live, work, invest and visit Shetland.

We want people to have a greater say in how Shetland moves forward and how to address future development and investment, whilst ensuring that we address the twin climate and nature crisis.

This Participation Statement (PS) sets out with who and how we will inform, engage, collaborate, involve and consult, and the methods of engagement we may use.

As part of the preparation of the PS we asked key agencies, Community Councils and all those who are on our register as having expressed an interest in being updated on Local Plan Preparations how they would like to be engaged, the feedback from that consultation has informed the content of the LDP.

Place-based approaches to participation, tailored to Shetland, will be developed together with stakeholders and the general public as we move through this process making sure each approach is relevant to the particular stage in the plan making process.

Principles

As the new LDP is required by NPF 4 to be both place-based and people-centred, we will follow the guiding principles for good engagement contained within:

1. **The National Standards for Community Engagement (VOICE):**
[National Standards for Community Engagement | SCDC - We believe communities matter](#)

These are good-practice principles designed to improve and guide the process of community engagement to build and sustain relationships between public services and community groups - helping them both to understand and act on the needs or issues that communities experience.

There are 7 National Standards:



2. Scottish Government’s draft Effective Community Engagement in Local Development Plan guidance.

[Effective community engagement in local development planning guidance: consultation - gov.scot \(www.gov.scot\)](http://www.gov.scot)

These 2 tables contained within the Draft Guidance which clearly set out the levels of engagement and what will be required / expected at each stage of the Plan making process.

Table 1: Levels of Engagement / Spectrum of Participation			
	Activity	Offer to participants	Purpose / degree of influence
Inform / Informing	To provide the public with balanced and objective information.	<ul style="list-style-type: none"> We will keep you informed; We will provide information openly transparently; and We will not withhold relevant information. 	To inform those with an interest in the outcome (i.e. the public and stakeholder groups).
Consult / Consulting	To obtain feedback on analysis, alternatives, proposals and / or decisions.	<ul style="list-style-type: none"> We will keep you informed; we will listen to and acknowledge your concerns and aspirations; We will give serious consideration to your contributions; We will be open to your influence; and We will provide feedback on how your input has influenced the outcome 	To inform those making the decision or developing proposals.
Involve / Involving	To work, directly with participants throughout the policy / decision-making process to ensure that their concerns and aspirations are consistently understood and considered.	<ul style="list-style-type: none"> we will keep you informed; we will work with you to ensure that your concerns and aspirations are directly reflected in the outcome / alternatives developed; and we will provide feedback on how your input has influenced the outcome 	To enable participants to directly influence the decision / options developed.
Collaborate / Collaborating	To partner with participants in each aspect of the decision, including defining the issue, developing alternatives and identifying preferred solutions.	<ul style="list-style-type: none"> We will look to you for advice and innovation in formulating solutions; and We will incorporate your advice and recommendations into decision / implementation to the maximum extent possible. 	To share the development and decision-making process (as much as possible).

Empower / Empowering	To place final decision-making in the hands of the participants - to delegate.	<ul style="list-style-type: none"> We will implement what you decide. 	To hand over the ability to make decisions and / or take action.
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Table 2: Local development plan preparation stages and level of engagement			
Stage	Activity	Engagement Level	Statutory Timing
Evidence Gathering	Publishing the Development Plan Scheme and Participation Statement	Inform, Involve	To inform those with an interest in the outcome - i.e. the public and stakeholder groups.
	Inviting communities to prepare a local place plan	Inform, Involve, Empower	28 day period for community bodies to seek comments before submitting it for validation and registration.
	Evidence report	Inform, Involve	-
	Gate check	Consult - where necessary	
Plan Preparation	Preparing the proposed local development plan		
	Consulting on the proposed local development plan		
	Modifying the proposed local development plan including examination		Minimum 28 day period between submitting the plan to be adopted to Scottish Ministers and adopting it locally.
Delivery	Adopting the local development plan	Inform, Collaborate	Within 3 months of local development plan adoption and then every 2 years.

Who Will We Engage With?

We are required by the Town and Country Planning (Scotland) Act 1997 (as amended), to engage and consult with specific groups, alongside internal Council services, external organisations and stakeholders, and the general public.

These specific groups include:

- Children and Young People
- Gypsies and Travellers
- Disabled Persons

- **Key Agencies:**

- o Scottish Environment Protection Agency (SEPA)
- o Scottish Water
- o Historic Environment Scotland
- o NatureScot
- o NHS Shetland
- o NatureScot
- o ZetTrans
- o Highlands and Islands Enterprise
- o Scottish Forestry
- o Marine Scotland
- o Architecture and Design Scotland
- o COSLA
- o British Geological Survey
- o SportScotland
- o VisitScotland
- o Improvement Service
- o Planning Aid Scotland (PAS)

How May We Engage?

We believe that engagement is a way to build and sustain relationships between public services and community groups. It should help them both to understand and take action on the needs or issues that communities experience.

We want to make it as easy as possible for everyone with an interest to engage in the preparation of LDP2.

We recognise that the Shetland Community is widespread and often remote, and acknowledge that we will have to engage with people in a number of different ways in order to be inclusive and for the engagement to be meaningful.

We also need to be prepared to be flexible and adaptable in the ways we engage with the Shetland Community

We have developed a series of potential engagement methods, which are listed below. Some methods may include internal/key agency communications and correspondence through email; however, some other methods may include:

Workshops and Interactive Events – we hope to carry out different workshops and interactive collaborative events which will be tailored to the targeted groups.

- A combination of physical and online meetings, webinars, presentations and workshop sessions, displays and engagement sessions.
- We intend to use software to produce a virtual meeting place and produce interactive online mapping tools.

LDP Page on the Council website, Social Media, Newsletters, Posters, Leaflets etc. - we aim to keep people updated with further events, information, and our progress towards the proposed plan through these methods.

- Staff available to answer questions or provide information via telephone, email and social media and when possible at our Council offices
- Availability of information and consultation documents through our website promoted by social media, email and letter updates
- Provide updates at key stages to those who have requested to receive updates or responded to the development plan consultations

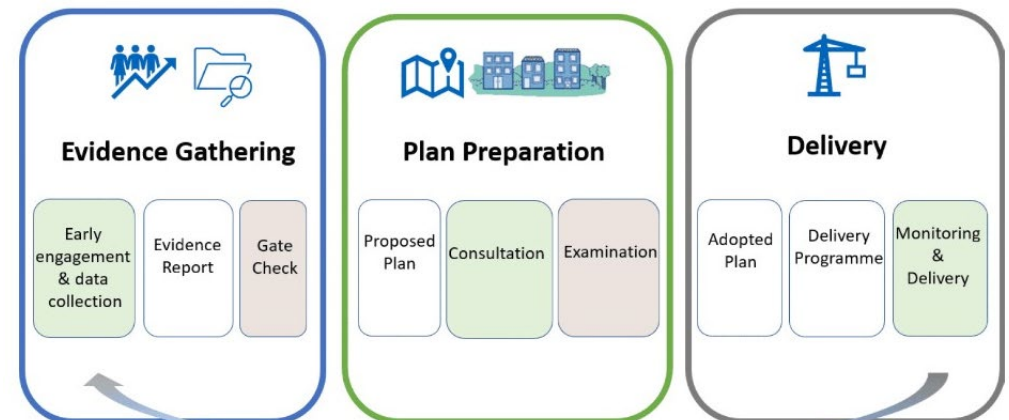
- Use existing methods of Communication to share relevant information and provide progress updates:
- Disseminate information through Community Councils, Council Offices and community buildings such as local libraries and leisure centres.
- Placing articles and adverts in local and community media (magazine / newspapers / websites etc.).
- Briefing meetings to be arranged for Councils and Government agencies.

As we progress through the plan making process we will produce our more detailed engagement and consultation strategy for each stage, which will be published when it has been approved and updated annually in line with the DPS and this participation Statement.

We will advertise key opportunities for engagement nearer the time for each event.

When Will We Engage?

The following timetable (next page) indicates proposed timings, methods, and audiences for each stage of engagement. Once approved and published, the engagement and consultation strategies for each stage will provide more detail on the Who, How and when.



DPS PARTICIPATION STATEMENT 2024 ENGAGEMENT TIMELINE TABLE

TIMESCALES	STAGE OF PLAN PREPERATION	WHO WE MAY ENGAGE WITH	METHODS WE MAY USE	AIM
EVIDENCE GATHERING Q1 – 2024 - Q3 2025	DPS & participation statement approved	Community Councils - Stakeholders - Key Agencies - Elected Members	E-mail & Letters, Survey, Meetings, workshops	Inform, Involve
Q1 2024	Invite community to prepare local place plans	Local Communities - Community Councils - Elected Members	Email & Letters - LDP Pages on Council Website - social media. Workshops - Meetings - online and in person	Inform, involve, empower
Q1 2024 - Q2 2025	Data collection and early engagement & publication of draft evidence report	Public at large - Children & Young People - Gypsies & Traveller Communities - Differently Abled People - Older People - Key Agencies - Infrastructure Providers - Other data providers - Council Services - Elected Members - Community Councils - Other community groups and partnerships	Workshops and Interactive Events - in person & online tailored to each group Email requests for data - Key Agencies, stakeholders, and data providers Collaborative approaches to data collection - Key Agencies, stakeholders, and data providers	Inform, involve,

GATECHECK Q3 - Q4 2025	Evidence report at gatecheck & publication of sufficiency report from dpea	No requirement to engage at this stage although DPEA may request us to do so with relevant groups/ agencies.		Consult where necessary
Q3 2025	Publication of evidence report	No requirement for engagement at this stage	LDP Pages on Council Website	Inform
Q3 2025	Open call for sites & ideas	Public at large - Children & Young People - Gypsies & Traveller Communities - Differently Able People - Older People - Key Agencies -Infrastructure Providers -Other data providers -Council Services -Elected Members -Community Councils -Other community groups and partnerships	Email & Letters - LDP Pages on Council Website - Advertisement, Social Media, Interactive Events & Information Meetings - Online & in person	Inform, Involve, collaborate
Q4 2025 - Q4 2026 Subject to receiving the sufficiency report from the DPEA	Plan preparation - including associated assessments including engagement	Public at large - Children & Young People - Gypsies & Traveller Communities - Differently Able People - Older People - Key Agencies - Infrastructure Providers - Other data providers - Council Services - Elected	Workshops and Interactive Events - in person & online tailored to each group Email invites Call for views	Inform, Involve, collaborate

		Members - Community Councils - Other community groups and partnerships		
Q1 2027	Consult on draft proposed plan	Public at large - Key Agencies - Infrastructure Providers - Other data providers - Council Services - Elected Members - Community Councils - Other community groups and partnerships	Advertisement, Physical Copies available at Council buildings, Neighbour Notification Social Media Interactive Events & Information Meetings - online & in person	Consult
Q4 2027	Submit proposed plan to Scottish ministers for examination	No requirement for engagement at this stage	Submit to Scottish Ministers	Inform
Q4 2027 - Q2 2028	Examination period including modification of plan	Members of the Public Objectors	Advertisement in local newspaper and libraries Notify those who made representations during consultation	Inform
Q3 2028	Adopt proposed plan	Members of the Public Scottish Members People who commented on Proposed Plan	Submit to Scottish Ministers Publicise online and in local newspaper Notify those who commented on the plan	Inform
Q32028 - Q42028	Prepare & publish delivery programme	Scottish Ministers Members of the Public	Email invites Workshop sessions - Online and in - person	Inform, collaborate

			LDP Pages on Council Website Physical Copies in Libraries	
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Contact

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

Email: development.plans@shetland.gov.uk
Phone on +44 (01595) 744293