

Chapter 5: Planning Policy Context

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5 Planning Policy Context

5.1 Introduction

- 5.1.1 This Chapter provides an overview of the relevant national and local policy documents, and a summary of policies and objectives relevant to the Proposed Development as a whole.
- 5.1.2 The ‘Town and Country Planning (Scotland) Act 1997 [‘the 1997 Act’] (as amended by the Planning etc. (Scotland) Act 2006) [‘the 2006 Act’] provides the framework for land use planning and the development of planning policy in Scotland. The 2006 Act is an enabling Act; its purpose is to amend existing planning legislation and provide a mechanism for the delivery of a modernised planning system.
- 5.1.3 A key feature of the 2006 Act is the statutory role and application of the National Planning Framework. The third iteration of NPF, National Planning Framework 3 (NPF3) (2014), contains a statement of priorities and a strategy for the long term spatial development of Scotland. The approved NPF 3 was published by the Scottish Government in June 2014 and identifies national developments including major renewables and strategic transport proposals. It also requires Scottish Ministers to include a statement of their reasons for considering a need for such developments.
- 5.1.4 The Scottish Government’s influence on the planning system also extends to the production of Scottish Planning Policy (SPP), Circulars, Planning Advice Notes (PANs) and approval of strategic planning documents. Each of these policy documents is material to the development of local and regional policy and provides thematic guidance on planning for a broad range of land uses and developments.
- 5.1.5 Under the 1997 Act, each planning authority in Scotland has a responsibility to publish a development plan, the content of which is informed by national policy. The development plan forms the basis on which decisions about development and future land use are made, and incorporates the requirements of national planning policy within a strategic and local framework.
- 5.1.6 Following from amendments to the planning system in the 2006 Act, the development plan is comprised of a Strategic Development Plan (SDP) (prepared only for the four largest city regions) and a Local Development Plan (LDP) (prepared by each local authority for its area). For those authorities outside the city regions, as is the case in Shetland, the LDPs set out the area’s strategic priorities and must be replaced every five years. LDPs are concise, map-based documents focusing on specific proposals for a time horizon of a minimum of 10 years (where they are also covered by an SDP) or 20 years (outwith SDP areas). To enable the LDP to remain concise, they are accompanied by a suite of supplementary guidance which provide detailed policy and advice.
- 5.1.7 The Shetland LDP (2014) was adopted by the Council on 26th September 2014 and is the established local planning policy for Shetland. It has been prepared to assist with the delivery of sustainable economic growth and the preservation of the natural and built environment of Shetland.
- 5.1.8 The Shetland Islands Council has also published Supplementary Planning Guidance (SPG) to, as noted above, accompany the LDP. As such the Development Plan documents of relevance to the Proposed Development are listed in Table 5.1.

Table 5.1: Development Plan Documents

Title	Document	Status
The Shetland Local Development Plan	Local Development Plan	Adopted September 2014
Onshore Wind Energy	Supplementary Guidance	Adopted February 2018
Natural Heritage	Supplementary Guidance	Draft 2012
Placemaking	Supplementary Guidance	Draft 2015

5.2 National Guidance

National Planning Framework

5.2.1 The Scottish Government published NPF3 in June 2014. NPF3 is a statutory document and a material consideration in planning decisions.

5.2.2 NPF3 guides Scotland's spatial development over the next 20 to 30 years setting out strategic development priorities to support the Scottish Government's central purpose - to promote sustainable economic growth. One of the key drivers for the revision has been to emphasise place-making. It also focuses on the following four outcomes for Scotland:

- A low carbon place;
- A natural place to invest;
- A successful and sustainable place; and
- A connected place.

5.2.3 NPF3 describes spatial priorities for change in improving connections. It states in paragraph 3.35 that:

“(it) has been estimated that the renewables sector could, by reaching its full potential, bring over 3,500 full-time equivalent jobs to the Western Isles, almost 2,900 to Shetland, and over 4,500 on Orkney by 2030. There is a need to plan for enough homes and infrastructure to accommodate this growth, delivering benefits for existing communities and supporting the creation of high quality places.”

Scotland’s Transport Future (2004)

5.2.4 The Government’s vision and objectives for transport in Scotland are set out in the White Paper, ‘Scotland’s Transport Future’ (Scottish Executive, 2004). This provides the policy framework for transport in Scotland with an overall aim to:

“...promote economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system” (Page 17).

Designing Streets: A Policy Statement for Scotland (2010)

5.2.5 The Scottish Government’s Designing Streets policy statement is designed to ensure that

“...good street design should derive from an intelligent response to location, rather than the rigid application of standards, regardless of context” (Designing Streets, 2010).

- 5.2.6 It sets out the government's aspirations for design and the role of the planning system in delivering these through mechanisms such as Local Development Plans. The document is supported by National Roads Development Guide (2014) to address the interface with other roads and considered a technical enabler to the document.

Scotland's Economic Strategy (2015)

- 5.2.7 The Economic Strategy states that the purpose of the Scottish Government is to create a more successful country, through increasing sustainable economic growth and tackling inequality. The Strategy was initially published in 2007, revised in 2011 in cognisance of the economic downturn and updated in 2015. The update focuses on creating a more successful country, through increased competitiveness and sustainability of the Scottish economy. The strategy is based on the principle that investing in infrastructure is key to helping businesses to grow, innovate and create good quality employment opportunities.
- 5.2.8 The Strategy acknowledges the importance of Scotland's cities and towns as centres of growth and prosperity. In regards to investment in infrastructure the Strategy states that it:

"is key to driving long-term improvements in competitiveness and in creating opportunities for everyone in society to benefit from these improvements" (Page 37).

National Transport Strategy (NTS) (2016)

- 5.2.9 The National Transport Strategy (NTS) (Scottish Government, January 2016) is a refresh of the 2006 NTS which considers Scotland's transport needs and sets out the long term vision for the country's transport policies. One of the key strategic objectives of the NTS is to improve journey times and connections, to tackle congestion and the lack of integration and connections in transport which impact on high level objectives for economic growth, social inclusion, integration and safety.
- 5.2.10 Paragraph 71 of the White Paper states that:

"...in order to enhance Scotland's global competitiveness and to enable Scotland's economy to maximise its productivity, Scotland needs to ensure that it has a well-connected, sustainable transport network...Transport can help unlock the economic and regeneration potential of particular places. It can also ensure connections for people who live and work in more remote and rural areas."

Scottish Planning Policy (SPP) (2014)

- 5.2.11 The current SPP was published in June 2014 and accompanies other documents including Planning Circulars and NPF3 as national land use planning guidance in Scotland. It directs the form and content of development plans, and is a material consideration in the assessment of planning applications. SPP sets out the core values and vision of planning set against the same four planning outcomes as NPF3 (3.4.2) and focus on creating a place which is sustainable, low carbon, natural, resilient and more connected. SPP sets out two principal policies; Sustainability and Placemaking and then outlines various subject policies. The principal and relevant subject policies contained in the consolidated SPP are summarised in Table 5.2.

Table 5.2: Scottish Planning Policy

Subject	SPP Paragraph	Summary
Introductory Sections	Paragraph 1 - 23	The introductory sections of the SPP set out a brief statement on the purpose of planning and detail the core principles that should underpin the modernised planning system. SPP states that successful operation of the planning system will only be achieved if all those involved commit themselves to engaging as constructively as possible in development planning and development management, so that the planning system contributes effectively to increasing sustainable economic growth.
Sustainability	Paragraph 24 - 35	<p>The SPP's central purpose is to focus government and public services on creating a more successful country through increasing sustainable economic growth. This can be achieved through the planning system by supporting economically, environmentally and socially sustainable places and responding to economic issues, challenges and opportunities.</p> <p>SPP states that policies and decisions should be guided by a number of key principles. These include:</p> <ul style="list-style-type: none"> • supporting delivery of energy infrastructure; • supporting climate change mitigation and adaptation including taking account of flood risk activity; • protecting, enhancing and promoting access to cultural heritage, including the historic environment; • protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment; and • avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.
Placemaking	Paragraph 36 -57	Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. Planning should take every opportunity to create high quality places by taking a design-led approach through the joint consideration of the relationships between higher quality places. Placemaking is supported through, amongst others, optimising the use of existing resources, using land within or adjacent to settlements for a mix of uses, developing brownfield land and locating development where investment in growth or improvement would have most benefit.
Promoting Rural Development	Paragraph 74 -83	<p>NPF sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education. To aid the delivery of this the planning system should:</p> <ul style="list-style-type: none"> • in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces; • encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and • support an integrated approach to coastal planning. <p>In relation to prime agricultural land, or land of lesser quality that is locally important, development should not be considered except where it is essential as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available.</p>

Subject	SPP Paragraph	Summary
Valuing the Natural Environment	Paragraph 193 - 218	Advises that planning authorities should conserve and enhance international, national and locally designated sites and protected species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities. Plans should address potential effects of development on the natural environment and authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence indicating that significant irreversible damage could occur.
Flood Risk and Drainage	Paragraph 254 - 268	Sets out a precautionary approach to flood risk from all sources by safeguarding flood storage and conveying capacity. Planning authorities are required to take into account probability of flooding and associated risks when determining planning applications and preparing development plans, and developers should take flood risk into account prior to committing to development.
Promoting Sustainable Transport and Active Travel	Paragraph 269 - 291	Sets out the planning policy on sustainable transport to optimise the use of existing infrastructure and reduce the need to travel by providing safe and convenient opportunities for walking, cycling and travel by public transport. Development plans and development management decisions should also take account of the implications of development proposals on traffic, patterns of travel and road safety.

5.2.12 The SPP places the need to tackle climate change as a key outcome, with Outcome 2 (a low carbon place) stating,

“By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change” (Paragraph 19).

5.2.13 The SPP contains thematic policy on renewable energy and sets out the Scottish Ministers' commitment to increasing the amount of electricity generated from renewable sources. It reiterates the Scottish Government's target for 2020 supporting the transformational change to delivering energy, including the equivalent of 100% of electricity demand from renewable sources by 2020. Paragraph 155 of the SPP states that development plans should seek to ensure that an area's full potential for renewable energy is achieved, giving due regard to relevant environmental, community and cumulative impact considerations. Paragraph 156 states that strategic development plans should support national priorities and address cross-boundary issues.

5.2.14 In addition, Planning Advice Notes (PANs) support SPP and provide advice on good practice and other relevant information to planning authorities. A summary of PANs and relevant Planning Circulars which provide statements of Scottish Government policy and guidance on implementation and/or procedural change is shown in Table 5.3.

Table 5.3: Planning Advice Notes and Circulars

PAN	Title	Description
PAN 51	Planning, Environmental Protection and Regulation (Revised 2006)	Supports the existing policy on the role of the planning system in relation to the environmental protection regimes. This PAN also summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system.
PAN 60	Planning for Natural Heritage (2000)	Provides advice on how development and how the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment and encourages developers and planning authorities to be positive and creative in addressing natural heritage issues. It complements the SPP, with examples of good planning practice in relation to natural heritage drawn from across Scotland highlighted in a number of case studies.
PAN 61	Planning and Sustainable Urban Drainage Systems (2001)	Provides good practice advice for planners and the development industry on the implementation of Sustainable Urban Drainage Systems (SUDS) (now referred to as Sustainable Drainage Systems in latest guidance) to aid the introduction of more sustainable developments.
PAN 65	Planning and Open Space (2008)	Provides advice on the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces. The advice relates to open space in settlements: villages, towns and major urban areas.
PAN 69	Flood Risk (2015)	Provides background information and best practice advice in focusing on the responsibilities of local authorities and developers in relation to flood risk assessment and management.
PAN 72	Housing in the countryside (2005)	Provides background for roads in rural areas and informs Local Development Plans Supplementary Guidance.
PAN 75	Planning for Transport (2005)	Aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information on the overlap of the two sectors.
PAN 78	Inclusive Design (2006)	Supports the Government's aim of promoting more equality in the areas where we live and work. The PAN aims to explain the importance of inclusive design, identify the nature of the problems experienced in designing inclusive environments and describe the legislative context. It also outlines the roles of the different stakeholders in delivering inclusive design and identifies the particular challenges of applying inclusive design to the historic environment.
PAN 79	Water and Drainage (2006)	Clarifies the role of the planning authority in setting the direction of development to inform the planning and delivery of new water infrastructure in a coordinated way. It explains the roles of Scottish Water and the Scottish Environment Protection Agency and encourages joint working in order to ensure a common understanding of capacity constraints and agreement on the means of their removal. It advises on the appropriateness of private schemes and the handling of Scottish Water developments.
PAN 3/2010	Community Engagement	The PAN provides advice to communities on how they can get involved and advice to planning authorities and developers on ways of effectively engaging with communities on planning matters. It advocates the use of 10 National Standards for the delivery of effective community engagement in land use planning, providing detailed advice on each standard as follows: Involvement; Support; Planning; Methods; Working Together; Sharing Information; Working with Others; Improvement; Feedback; and Monitoring and Evaluation.
PAN 1/2011	Planning and Noise	The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It promotes the appropriate location of new potentially noisy development, and

PAN	Title	Description
		a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected and that new development continues to support sustainable economic growth.
PAN2/2011	Planning and Archaeology	This PAN accompanies SPP, SHEP and the Managing Change in the Historic Environment Guidance Notes, which together set out the Scottish Ministers' policies for planning and the historic environment. It is intended to inform the day-to-day work of a range of local authority advisory services and other organisations that have a role in the handling of archaeological matters within the planning process.
PAN1/2013	Environmental Impact Assessment	PAN 1/2013 replaces the outdated PAN: 58 and brings EIA guidance fully into line with the latest regulations. It contains new guidance on the integration of EIA procedures into the development management process, as a step towards more efficient and effective EIA.
Circular	Title	Description
1/2017	The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017	This Circular provides guidance on the regulations which transpose the Environmental Impact Assessment or 'EIA' Directive 2011/92/EU as amended by Directive 2014/52/EU into the Scottish planning system

5.3 Local Planning Guidance

The Shetland Local Development Plan (2014)

5.3.1 The Shetland Local Development Plan (SLDP) is underpinned by the vision, derived from the Shetland Resolution (2004), with an overarching aim to:

“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.” (SLDP, 2014. Page 14).

5.3.2 In terms of renewables and road projects, the Proposed Development would comply with the following aspirations of the plan, including:

- supporting new and existing sustainable economic opportunities, including employment, housing, transport, communications and community facilities;
- encouraging new development of good quality that is environmentally sensitive, accessible to all, utilises sustainable design techniques and low carbon or renewable energy technologies;
- 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; and
- 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.

5.3.3 As noted in the Transport Section (Page 45) of the SLDP, the connectivity of the island is heavily reliant on the road network therefore the retention and improvement of this infrastructure is promoted in the SLDP, something which would broadly accord with the principle of the Proposed Development.

Table 5.4: Shetland Policies

Policy	Description
GP1 Sustainable Development	<p>Development will be planned to meet the economic and social needs of Shetland in a manner that does not compromise the ability of future generations to meet their own needs and to enjoy the area’s high quality environment. Tackling climate change and associated risks is a major consideration for all development proposals.</p> <p>New residential, employment, cultural, educational and community developments should be in or adjacent to existing settlements that have basic services and infrastructure in order to enhance their viability and vitality and facilitate ease of access for all.</p> <p>This will be achieved through Allocations, Sites with Development Potential and Areas of Best Fit.</p>
GP2 General Requirements for All Development	<p>Applications for new buildings or for the conversion of existing buildings should meet all of the following General Requirements:</p> <ol style="list-style-type: none"> 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. All new buildings shall avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, through the installation and operation of low and zero-carbon generating technologies (LZCGT). The proportion of such emissions shall be specified in the council’s Supplementary Guidance – Design. That guidance will also set out the approach to existing buildings which are being altered or extended, including historic buildings and the approach to applications where developers are able to demonstrate that there are significant technical constraints to using on-site low and zero carbon generating technologies. 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.
GP3 All Development: Layout and Design	<p>All new development should be sited and designed to respect the character and local distinctiveness of the site and its surroundings.</p> <p>The proposed development should make a positive contribution to:</p> <ul style="list-style-type: none"> • 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. <p>The Planning Authority may request a Masterplan and/ or Design and Access Statement in support of development proposals.</p> <p>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.</p>
NH1 International and National Designations	<p>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:</p>

Policy	Description
	<ul style="list-style-type: none"> • 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. <p>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:</p> <ul style="list-style-type: none"> • 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.
NH2 Protected Species	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>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:</p> <ul style="list-style-type: none"> • 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. <p>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:</p> <ul style="list-style-type: none"> • the development is required for preserving public health or public safety; and • there is no other satisfactory solution. <p>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.</p>
NH3 Furthering the Conservation of Biodiversity	<p>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:</p> <ul style="list-style-type: none"> • 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. <p>Further guidance is provided in Supplementary Guidance - Natural Heritage.</p> <p><u>Justification</u></p>

Policy	Description
	<p>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:</p> <ul style="list-style-type: none"> • Soil formation and cycling of water. • Climate regulation. • Food, medicines and other materials. • Outdoor learning and recreation. • Spiritual uplift and restorative therapy. • An important part of our arts, cultures and traditions.
<p>NH4 Local Designations</p>	<p>Development that affects a Local Nature Conservation Site or Local Landscape Area will only be permitted where:</p> <ul style="list-style-type: none"> • 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. <p>More information and guidance can be found in:</p> <ul style="list-style-type: none"> • Supplementary Guidance – Local Nature Conservation Sites. • Supplementary Guidance – Local Landscape Areas. <p><u>Justification</u></p> <p>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. The reason for designation of Local Landscape Areas is primarily to safeguard and enhance the character and quality of landscapes which are important or particularly valued locally or regionally. 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.</p>
<p>NH5 Soils</p>	<p>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.</p> <p>Proposals that will have an unacceptable effect on soil resources and functions will only be permitted where it has been demonstrated that:</p> <ul style="list-style-type: none"> • 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; and • any harm or disturbance to the soil resources and functions is avoided or reduced to acceptable levels by suitable mitigation. <p>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.</p> <p>Further guidance is provided in Supplementary Guidance – Natural Heritage.</p> <p><u>Justification</u></p> <p>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:</p> <ul style="list-style-type: none"> • 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;

Policy	Description
	<ul style="list-style-type: none"> • preserving cultural and archaeological heritage; • providing raw materials; and • providing a platform for buildings and roads. <p>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.</p>
<p>NH7 Water Environment</p>	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p><u>Justification</u></p> <p>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.</p> <p>The water environment includes burns, rivers, ponds, lochs, wetlands, standing, tidal or coastal waters as well as groundwater. 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.</p> <p>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.</p>
<p>HE1 Historic Environment</p>	<p>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.</p> <p><u>Justification</u></p> <p>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.</p> <p>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.</p>
<p>ED1 Support for Business and Industry</p>	<p>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 – Business and Industry.</p> <p>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.</p> <p><u>Justification</u></p> <p>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</p>

Policy	Description
	development across Shetland is supported. Scottish Planning Policy highlights the importance of sustainable economic growth and diverse economies in rural areas.
TRANS1 Integrated Transport	<p>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.</p> <p>The Council will support proposals that;</p> <ol style="list-style-type: none"> 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 path 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.
WD3 SuDs	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 Water and Drainage.
W5 Waste Management Plans and facilities in all new developments	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.

5.4 Supplementary Planning Guidance

Shetland Local Development Plan, Supplementary Guidance: Onshore Wind Energy (adopted 2018)

- 5.4.1 This guidance is specifically targeted to inform developers of onshore wind farms and not directly applicable to the Proposed Development however cognisance should be made to Page 21 of the SG which refers to access and states:

“All proposals for windfarm development must comply with the access requirements as set out in the Shetland Islands Council Roads Department guidance document <http://www.shetland.gov.uk/roads/drainage.asp>.”

Shetland Local Development Plan, Draft Supplementary Guidance: Placemaking (2015)

- 5.4.2 The draft Supplementary Guidance on Placemaking was published by the Shetland Council in 2015. Although not formally adopted as part of the development plan, the document supplements the SLDP (Policies GP1, GP2 and GP3) and is intended to be applicable to all

types of development and their accompanying policies, including roads infrastructure (TRANS 1).

- 5.4.3 Section 9 of the Placemaking Guidance addresses road developments, quoting PAN 72;

“Rural areas need design solutions and road standards which are appropriate to their character and setting” (Placemaking Supplementary Guidance, Page 39).

- 5.4.4 The Supplementary Guidance is informed by, and seeks to deliver the principles, of Designing Streets guidance (see Paragraph 25 above).

Shetland Local Development Plan, Draft Supplementary Guidance: Natural Heritage (2012)

- 5.4.5 Supplementary guidance on Natural Heritage reflects and expands on the SLDP’s Policies NH1 – NH6, of which Policy NH1 “International & National Designations” are applicable to the proposed development as it is situated within close proximity of a nationally designated SSSI. In regards to SSSI, the guidance states;

“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.”* (Page 8)

Shetland Transport Strategy Refresh 2018-2028 (2018)

- 5.4.6 ZetTrans is the Regional Transport Partnership for Shetland. The vision of ZetTrans is:

“To develop an effective, efficient, safe and reliable transport system for Shetland. The transport system will comprise an integrated network of accessible, and affordable internal, inter-island and external links, which will contribute to the development of a safe, healthy, vibrant and inclusive society, a diverse, successful and self-sufficient economy, and enhanced environmental quality.” (ZetTrans, 2018)

- 5.4.7 The objectives of the Proposed Development are consistent with the provisions of the ZetTrans vision. The proposed development will improve the connectivity of the existing road system within Shetland, which will contribute to the reduction of ongoing maintenance burden.