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Sent by email: development.management@shetland.gov.uk

Our ref: NOD-360-1
05 March 2021

Dear Iain

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
NOTIFICATION DIRECTION: SPACEPORT AND ANCILLARY DEVELOPMENT,
UNST, SHETLAND**

Please find attached a Direction in relation to the above proposed development which Scottish Ministers have given in exercise of the powers conferred on them by Regulations 31 and 32 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The Direction comes into force on 05 March 2021. The effect of the Direction is to require notification of applications for spaceport and ancillary development to the Scottish Ministers where the Council is minded to grant planning permission, and prohibits the grant of planning permission for a period of 28 days. That 28 day period may be extended by means of a further Direction.

Scottish Ministers take the view that should Shetland Islands Council be minded to grant permission for any spaceport and ancillary development, that it should be notified to Scottish Ministers. We are aware that there are currently three planning applications in relation to the proposed Shetland Space Centre in the planning system at this time - for the spaceport (2021/005/PPF); the launch and range control centre (2021/003/PPF); and, for a new section of access road (2021/002/PPF).

This Direction is given to assist in providing an overview of applications for spaceport development in the planning system.

This Direction does not commit Scottish Ministers to calling in an application, but it does reserve their right to intervene. Details of the notification requirements are enclosed in the attached Direction.

Should you require any further information regarding the notification requirements, please do not hesitate to make contact with us.

Yours sincerely

ALEX KERR

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF SPACEPORT AND
ANCILLARY DEVELOPMENT AT UNST) (SHETLAND ISLANDS COUNCIL)
DIRECTION 2021**

The Scottish Ministers, in exercise of the powers conferred on them by Regulations 31 and 32 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and all other powers enabling them in that behalf, hereby give the following direction:-

1. In the event that Shetland Islands Council is minded to grant planning permission for any spaceport and ancillary development at Unst, that they shall send to Scottish Ministers the following information:-

(a) a copy of the planning application, accompanying plans and associated documentation (e.g. transport/retail assessment), together with the full address and post-code of the site to be developed;

(b) a copy of any environmental statement accompanying the application or, where an environmental statement has not been prepared:

- i. a copy of any screening opinion given by the planning authority in respect of any Schedule 2 development (as defined by regulation 2 of the *Environmental Impact Assessment (Scotland) Regulations 2017*); and
- ii. a copy of any strategic environmental assessment that is relevant to the development;

(c) a copy of any appropriate assessment relating to the application, carried out under Part IV of the Conservation (Natural Habitats, &c.) Regulations 1994;

(d) copies of all observations submitted by consultees and all representations and petitions received, together with a list of the names and addresses of those who have submitted observations/made representations (including details of any petition organiser if known). Where 'pro-forma' representations are received, only one copy example need be submitted, but all names and addresses must be provided. Copies of petitions should be submitted, but only the organiser or first named should be included in the list of names and addresses;

(e) the planning authority's comments on the consultees' observations and on representations received, together with a statement explaining how the authority has taken these into account;

(f) the planning authority's reasons for proposing to grant planning permission, including, where relevant, a statement setting out the reasoning (i) behind the authority's decision to depart from the development plan, and/or (ii) for taking the decision it has, in light of any objections received.

2. The Scottish Government would expect, wherever possible, that the information is provided electronically by means of a link, or series of links to the relevant case file on the authority's website.

3. Subject to paragraph 4 below, where Shetland Islands Council is minded to grant planning permission for the development referred to in paragraph 1 above they shall not do so before the expiry of the period of 28 days beginning with the date notified to them by Scottish Ministers as the date of receipt by them of the information supplied by the Council in accordance with paragraph 1 of this Direction.

4. Scottish Ministers may, during the said period of 28 days, notify Shetland Islands Council by further direction under regulation 32 that an earlier or later date shall be substituted for the date of expiry of that period; and if on expiry of the period of 28 days or such other date as has been notified to them the Council have not received from Ministers a Direction under Section 46 of the Town and Country Planning (Scotland) Act 1997 requiring the application to be referred to Ministers instead of being dealt with by the Council, then the Council may proceed to determine the application.

5. This Direction is given to assist in providing an overview of spaceport development in the planning system.

6. This Direction may be cited as the Town and Country Planning (Notification of Spaceport and Ancillary Development) (Shetland Islands Council) Direction 2021.

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