

## **Item: 10**

**Development and Infrastructure Committee: 12 September 2017.**

**Churchill Barriers.**

**Report by Executive Director Development and Infrastructure.**

### **1. Purpose of Report**

To consider adoption of Development Management Guidance following listing of Barriers 3 and 4.

### **2. Recommendations**

The Committee is invited to note:

#### **2.1.**

That, on 18 November 2016, Historic Environment Scotland listed Churchill Barriers 3 and 4 at Category A.

#### **2.2.**

That extensive consultation has taken place between relevant teams within the Council and Historic Environment Scotland to ensure that the designation will have a minimal impact on roads operations.

#### **2.3.**

The draft Development Management Guidance, attached as Appendix 1 to this report, which sets out the product of the consultation referred to at paragraph 2.2 above.

#### **2.4.**

That the ongoing development project concerning Barriers 1 and 2 will not be affected by the designation by Historic Environment Scotland nor the proposed Development Management Guidance.

**It is recommended:**

#### **2.5.**

That the Development Management Guidance in respect of Churchill Barriers 3 and 4, attached as Appendix 1 to this report, be approved.

### **3. Policy Aspects**

This Development Management Guidance will contribute towards realising Target 2.6: Orkney's Cultural Heritage of the current Council Plan.

## **4. Background**

### **4.1.**

In May 2016, following a listing nomination submitted by a member of the public in 2014, Historic Environment Scotland advised the Council of its intention to list Churchill Barriers 3 and 4 at Category A, equivalent to structures such as St Magnus Cathedral and the North Ronaldsay Sheep Dyke.

### **4.2.**

This listing was confirmed on 18 November 2016. Barriers 1 and 2 were assessed by Historic Environment Scotland as being of sufficient importance to be listed, but, in line with Historic Environment Scotland policy, due to the existing development proposals for these Barriers, listing has not been considered at this time and will not be reconsidered whilst this development project is still underway.

## **5. Proposed Development Management Guidance**

### **5.1.**

There has been extensive communication between Historic Environment Scotland and various functions within the Council, including Roads, Marine Services and Development and Marine Planning.

### **5.2.**

The outcome of this engagement is the draft Development Management Guidance, attached as Appendix 1 to this report. This clarifies the extent of the listing, the setting of the Barriers and the works for which listed building consent would and would not be required. This confirms that routine roads operations would not be affected, and sets out clear protocols for roads and engineering operations.

## **6. Equalities Impact**

An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.

## **7. Financial Implications**

### **7.1.**

There are not anticipated to be any significant financial implications arising from the recommended adoption of development planning guidance for Churchill Barriers 3 and 4.

### **7.2.**

The listing of the Churchill Barriers places a higher level of obligation on the Council to maintain the Barriers than would exist for a non listed building although this would have very limited financial consequence.

### **7.3.**

The listed status could increase the cost of any major structural repairs to the Barriers but it may also allow access to funding streams such as the Historic Environment Scotland grant schemes.

## **8. Legal Aspects**

Whilst Development Management Guidance is not subject to public consultation, it is approved by Council prior to adoption and publication. As such, Development Management Guidance is a material consideration in the determination of planning applications, which is considered to be the standing advice of the Local Planning Authority.

## **9. Contact Officers**

Gavin Barr, Executive Director of Development and Infrastructure, extension 2331, email [gavin.barr@orkney.gov.uk](mailto:gavin.barr@orkney.gov.uk).

Roddy MacKay, Head of Planning, Development and Regulatory Services, extension 2530, email [rodny.mackay@orkney.gov.uk](mailto:rodny.mackay@orkney.gov.uk).

Stuart West, Planning Manager (Development and Marine Planning), extension 2816, email: [stuart.west@orkney.gov.uk](mailto:stuart.west@orkney.gov.uk).

## **10. Appendices**

Appendix 1: Draft Development Management Guidance – Churchill Barriers 3 and 4.

Appendix 2: Equality Impact Assessment.