

ITEM No ...4.....

REPORT TO: FAIR WORK, ECONOMIC GROWTH AND INFRASTRUCTURE COMMITTEE - 25 SEPTEMBER 2023

REPORT ON: DEVELOPMENT PLAN SCHEME 2023

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 253-2023

1 PURPOSE OF REPORT

1.1 The report sets out the 2023 Development Plan Scheme for the preparation of the Dundee Local Development Plan.

2 RECOMMENDATION

2.1 It is recommended that the Committee:

- a approves the Development Plan Scheme 2023 as set out in Appendix 2,
- b remits the Head of Planning and Economic Development to publish and implement the Development Plan Scheme 2023 and to send 2 copies to Scottish Government and place copies in public libraries in Dundee; and
- c remits the Head of Planning and Economic Development to undertake an annual public consultation in respect of the Participation Statement.

3 FINANCIAL IMPLICATIONS

3.1 None.

4 BACKGROUND

4.1 The Town and Country Planning (Scotland) Act 1997 as amended requires each Planning Authority to prepare a Development Plan Scheme and review it annually. The Development Plan Scheme sets out the Authority's programme for preparing and reviewing its Local Development Plan. The Scheme seeks to provide a general indication of what is involved at each stage, together with dates for key stages in the process.

4.2 A new provision in the Act as amended is the requirement to consult on a "Participation Statement" as outlined in Article IV (AN20-2023 - Development Plan Scheme 2023) of the Minute of the Meeting of the City Development Committee on 26 June 2023.

4.3 Consultation on the draft Participation Statement took place over a six-week period in July and August, with respondents encouraged to use an online form to submit comments. The consultation was hosted and advertised via the Council's website. Notification of the consultation was also advertised through community meetings attended by planning officers over that period and by direct email to 252 persons registered to receive such notifications. A total of 18 responses were received. Appendix 1 provides a general summary of the submissions received and the responses to them.

4.4 The finalised Participation Statement is included in the Development Plan Scheme that is set out in Appendix 2. It provides general information on how consultation will be undertaken during the plan preparation but does not detail specific arrangements such as dates for each participation stage. Such detail would be announced at the appropriate time.

- 4.5 After adopting the Development Plan Scheme, the Act requires the Authority to publish it, send two copies to Scottish Ministers and make copies available via public libraries.

5 POLICY IMPLICATIONS

- 5.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

6 CONSULTATIONS

- 6.1 The Council Leadership Team have been consulted in the preparation of this report and are in agreement with its content.

7 BACKGROUND PAPERS

- 7.1 None.

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21 August 2023

APPENDIX 1

CONSULTATION RESPONSES TO THE PARTICIPATION STATEMENT

Summary

The responses to the consultation have been generally positive with respondents welcoming the consultation activity that will support the production of the Local Development Plan.

A total of 18 responses were received, 16 of which were anonymous. The two respondents named were Dundee Civic Trust and Homes for Scotland. Of the 18 responses, five agreed with the approach and provided no further comment, and as such, their comments are not included in the summary table below.

The Participation Statement is general in nature and there have been a considerable number of requests for very specific measures or levels of detail beyond the scope of the statement. Whilst no change to the Participation Statement is recommended for these elements the comments submitted will nonetheless be used to inform specific stages of consultation activities in future.

Respondent	Summary Of Comments	DCC Comment	DCC Response
	Consultations should include planning consultants	The Statement identified that participation process would include Private Sector Groups including business – which would include Planning Consultants, many of which are already registered on the email notification mailing list	No Change Required
	Students and young professionals should be directly contacted.	The Statement identified that participation process would seek to include <i>“all members of the community, including younger citizens”</i>	No Change Required
	Utilise social media to encourage under 30's engagement and communication.	The Participation Statement states that <i>“Communication is provided through appropriate and widely accessible means”</i> and this would include announcements of key stages being placed on Dundee City Council's social media accounts.	The Participation Statement did not list all intended means of communication, however additional text has been added to highlight that social media may be used.
	Under 30's will not provide formal representations by letter or email – it is not their method of communication	Dundee City Council will seek to accept views made using any form of communication during preparation of the Plan. Formal representations need to meet the requirements of the legislation, for example, to be trackable back to the person who made them so representations from anonymous sources will	No Change Required

Respondent	Summary Of Comments	DCC Comment	DCC Response
		regrettably not be eligible for consideration at some stages.	
	In addition to DCC website, updates should be circulated via email etc. to notify interested parties to view the platform	The Participation Statement is clear that an email mailing list is available and will be used throughout the process.	No Change Required
	Host local drop-in sessions for members of the community who do not have internet access. Visit schools/colleges to run workshops and engagement activities	DCC will host in-person meetings as part of the process. However, these must take due account of the staff resources and time available. The Participation Statement indicates that <i>"arrangements for participation are as open, transparent and practical as possible"</i> . In-person meetings would be an expected part of that.	No Change Required
	Children's Charities, particularly rights based, should be involved. Specifically Play Scotland	The Statement identified that participation process would seek to include <i>"all members of the community, including younger citizens"</i> To facilitate this, DCC will engage with groups and organisations working in that sector. Play Scotland is registered on the email mailing list so will be notified of opportunities to get involved.	No Change Required
	Need to include Play Sufficiency Assessments within the preparation of the Local Development Plan	A Play Sufficiency Assessment is a statutory requirement for the preparation of the Local Development Plan. It is subject to the Town and Country Planning (Play Sufficiency Assessment) (Scotland) Regulations 2023 which sets out the consultation requirements and there is no requirement to reiterate such arrangements in the Participation Statement.	Play Sufficiency Assessments will be included in the list of other documents subject to their own consultation arrangements (alongside mention of Local Place Plans, Community Plans and the National Planning Framework)
	Would recommend the use of MS Teams when consulting infrastructure providers	Noted: The Planning Service already makes extensive use of MS Teams.	No Change Required

Respondent	Summary Of Comments	DCC Comment	DCC Response
	The broad spectrum above looks to cover a wide range of groups; no mention of ethnic minority groups	The Statement identified that participation process would seek to include "all members of the community". This includes ethnic minority groups.	Text alteration to read: "All members of the community, including minority groups, younger citizens, disabled people, gypsies and travellers.
Homes for Scotland	Homes for Scotland should be specifically listed as a consultee	The Statement identified that the participation process would include Private Sector Groups including business – which would include Homes for Scotland. In addition, many of its members are registered on the email notification mailing list. The Local Development Plan gives consideration to a very large range of topics and it is not practical for the Participation Statement to list every group that will contribute to the production of the Plan.	No change required
	Establish a coherent site assessment methodology, it is vital that every development site is delivered within the plan period	This comment does not relate to the purpose of the Participation Statement but will be taken into consideration during the preparation of the Plan	No Change Required
	Support email/telephone communication but also direct in-person meetings with Homes for Scotland	DCC will host in-person meetings where appropriate taking account of the staff resources and time available. The Participation Statement indicates that <i>"arrangements for participation are as open, transparent and practical as possible"</i> .	No Change Required
	The Development Plan Scheme 2022 references a call for sites – we are supportive of this	The 2022 scheme was written prior to the Scottish Government's regulations governing the preparing of Local Development Plans were published. The new regulations do not require a call for sites. The Participation Statement identifies a Call for Ideas stage where people may propose land for development.	No Change Required

Respondent	Summary Of Comments	DCC Comment	DCC Response
	Concerns related to Housing Land Audit, Housing Need and Demand Assessment	This is outwith the scope of the Development Plan Scheme and Participation Statement	No Change Required
	Map based consultations which allow for comments to be directly added to specific areas may be beneficial	Noted – this method has proven to be useful in relation to past projects and will be investigated for use on policy matters.	Noted
	TAYplan carried out some successful in-person targeted events at shopping centres, town halls etc. which may be a good way of engaging	In person meetings are expected to occur and will be considered as each stage of the plan preparation process.	No Change Required
Dundee Civic Trust	Welcome the collaborative approach but has concerns that the Council will publish draft documents and seek reaction.	The publication of draft documents to seek views is an integral and statutory requirement of the Local Development Plan preparation process. Dundee City Council will be seeking views and input prior to publication of draft documents from a wide range of individuals and organisations but it is to be acknowledged that many people prefer to have something to comment upon so both approaches are of value.	No Change Required
	Young people should be involved	The Statement identified that participation process would seek to include “ <i>all members of the community, including younger citizens</i> ” To facilitate this DCC will engage with representative groups and organisations working in that sector.	No Change Required
	People outwith Dundee and adjoining local authorities should be involved	Adjoining local authorities are part of the statutory consultation requirements. All consultations are open to any person regardless of where they live.	No Change Required
	Need for consideration of persons without access to technology who cannot use the website	The library service offers free access to the internet and library staff can support people to access Council information.	No Change Required

Respondent	Summary Of Comments	DCC Comment	DCC Response
		<p>For those unfamiliar or unwilling to access the information online, the Participation Statement allows for representations to be made in letter form and for consultations to be conducted "off-line" with accessible documents and alternative formats.</p> <p>Dundee City Council welcomes face-to-face meetings within the staff resources available.</p>	

APPENDIX 2

DUNDEE DEVELOPMENT PLAN SCHEME

Dundee City Council - Development Plan Scheme 2023

PURPOSE OF DOCUMENT

This Development Plan Scheme is published by Dundee City Council with regards to the preparation of a new Dundee Local Development Plan. It summarises the process for preparing the Dundee Local Development Plan and expected timescales for the plan preparation process.

BACKGROUND

The [Town and Country Planning \(Scotland\) Act 1997](#), as amended by the [Planning \(Scotland\) Act 2019](#) sets out the requirements for a Local Development Plan to be prepared by Dundee City Council.

This is supported by [The Town and Country Planning \(Development Planning\) \(Scotland\) Regulations 2023](#)

The Development Plan is required to manage the development and use of land in Dundee in the long term public interest. It does this by setting out how our local places will change into the future, including where development should and should not happen. This includes where our new homes and workplaces will be built, how services and facilities should be provided, and identify the places we value and should therefore protect. Development Plans play a key role in balancing the many different sectors and interests that seek to both change and preserve elements of our city.

Legislation requires that decisions on planning applications are to be made in accordance with the Development Plan unless material considerations indicate otherwise.

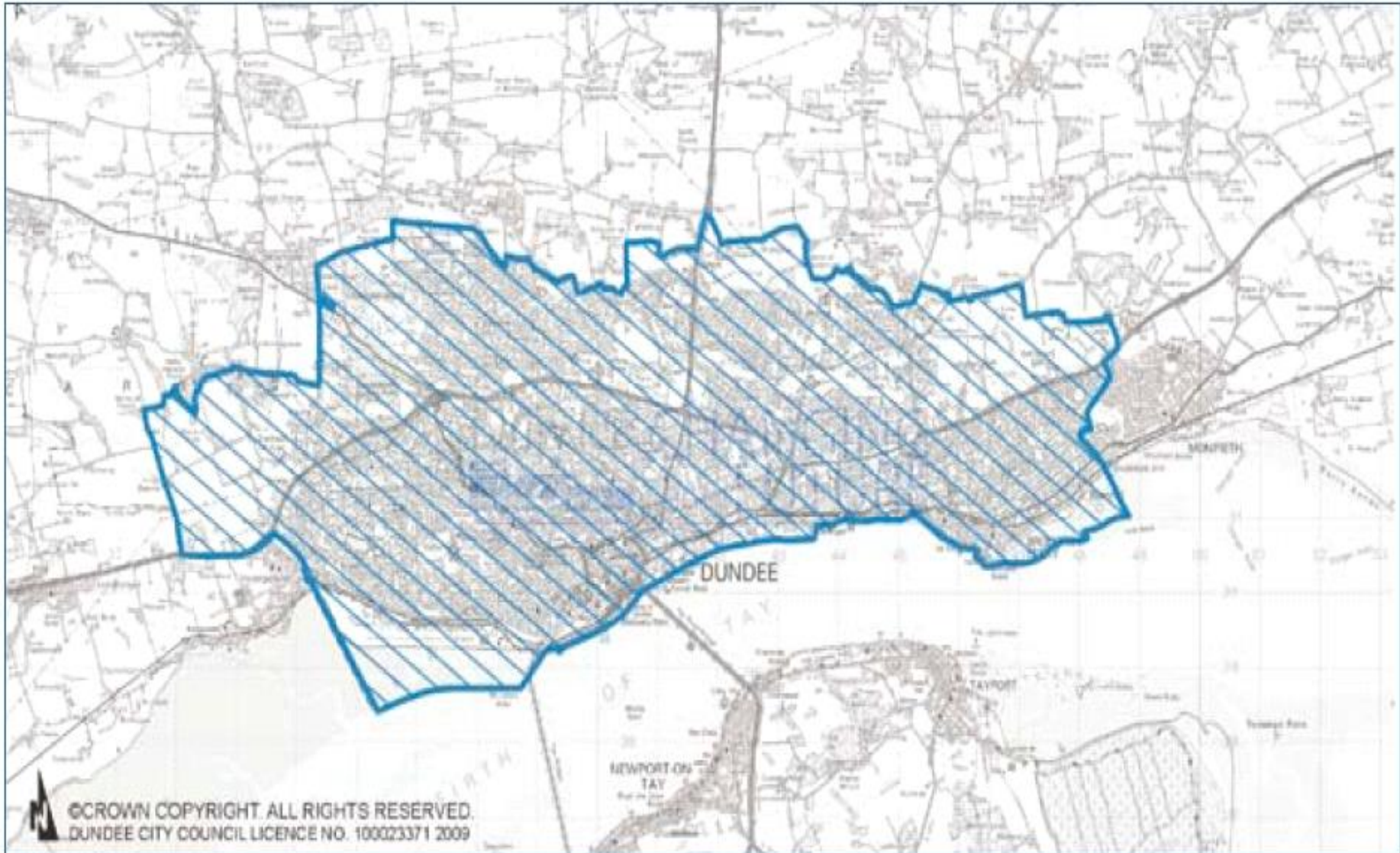
Local Development Plans are to be prepared at intervals of no more than 10 years and should consider the ambitions and outcomes for an area by looking to guide development up to 20 years into the future.

The current Development Plan for Dundee comprises the [National Planning Framework 4](#) and the [Dundee Local Development Plan 2019](#) and associated supplementary guidance.

The National Planning Framework is prepared and adopted by the Scottish Government, whilst Dundee City Council has responsibility for the Local Development Plan.

The Development Plan Scheme refers only to the Dundee Local Development Plan.

PLAN AREA



LOCAL DEVELOPMENT PLAN PREPARATION TIMETABLE

The table below sets out our expected timetable for the preparation of a new Local Development Plan. Not all stages of plan preparation are within the control of Dundee City Council so the timetable will be subject to change. Alterations to the timetable will be communicated through future editions of the Development Plan Scheme which will be published annually and on our website at www.dundee.gov.uk/localdevplan2.

In accordance with Scottish Government guidance, the periods in the timetable refer to financial year quarters (Q) which translate as: Q1 April-June, Q2: July-Sept, Q3 Oct-Dec, Q4 Jan-March.

(The term 2023/24 Q1 therefore would refer to the period of April to June 2023)

Plan Preparation Stage	Expected Date/Period of Activity
Development Plan Scheme	Autumn 2023 then annually in Q1
Evidence Gathering Stages	
Evidence Gathering	Ongoing to 2024/2025 Q3
Fairer Scotland Duty Assessment	2023/2024 Q4 to 2024/2025 Q1
Public Sector Equality Duty Assessment	2023/2024 Q4 to 2024/2025 Q1
Habitats Regulations Appraisal	2025/2026 Q2 & Q3
Preparation of Local Place Plans	Ongoing to 2025/2026 Q1
Publication of Evidence Report	2024/2025 Q3
Gate Check Examination	2024/2025 Q3 to 2025/2026 Q1
Call For Ideas	2025/2026 Q1
Strategic Environmental Assessment – preparation of Environment Report	2025/2026 Q2 to 2026/2027 Q3
Consultation on Environment Report	2026/2027 Q3 & Q4
Plan Preparation Stages	
Preparation of Proposed Plan	2025/2026 Q2 to 2026/2027 Q2
Neighbour notification of proposed Development Sites	2026/2027 Q2
Publication of Proposed Plan	2026/2027 Q3
Preparation of Delivery Programme	2025/2026 Q4 to 2026/2027 Q2
Consultation on proposed Plan and Delivery Programme	2026/2027 Q3 to Q4
Consider responses & publish final proposed plan	2027/2028 Q1
Examination of Proposed Plan	2027/2028 Q2 to Q3

Adoption and Publication Stage	
Adoption of Local Development Plan	2027/2028 Q4
Adopt and publish delivery programme	2028/2029 Q1

An explanation of the various documents is provided below (in alphabetical order):

- Delivery Programme

A statement on how Dundee City Council proposes to implement the Local Development Plan. It is focussed on how the general outcomes of the Plan will be implemented rather than noting progress on a specific action or allocation (e.g., it will not seek to state when a particular housing development will be built).

- Development Plan Scheme

This statement, reviewed annually, that sets out the timetable for the preparation of the Local Development Plan and the consultation arrangements which support that process.

- Evidence Report

This sets out the basis upon which Dundee City Council will prepare the Local Development Plan and will include an overview view on a wide range of matters related to the development and use of land in the city.

- Fairer Scotland Duty Assessment

This process assesses the Local Development Plan and how it pays due regard to reducing inequalities caused by socio-economic disadvantage during the preparation of plan policies and actions. It is a form of audit of the detail of planning policies and helps identify any unintended consequences of strategic decisions on the population of Dundee.

- Habitats Regulation Appraisal

Dundee City Council is required by law to consider whether a plan or project could have a likely significant effect on a designated European site, and if so carry out an appropriate assessment.

- Local Place Plans

These are community-led plans which set out a community's aspirations for the future development of an area and are considered when the Local Development Plan is being prepared. Dundee already benefits from [Local Community Plans](#) for all areas of the city which will also be taken into account.

- Public Sector Equality Duty Assessment

This assesses the Local Development Plan and how it pays due regard to reducing and eliminating wherever possible inequalities and discrimination against people with protected characteristics during the preparation of plan policies and actions. It is a form of audit of the detail of planning policies as they are prepared and helps identify any unintended consequences of such decisions on the population of Dundee.

- Proposed Local Development Plan

The Proposed Plan will reflect the Council's position on the development and use of land. This will be used for the purposes of consultation. Following consultation, the Proposed Plan will be amended as necessary to take account of representations received during consultation then submitted to the Scottish Government for examination.

- Strategic Environmental Assessment/Environment Report

The findings of a Strategic Environmental Assessment are published in the Environment Report. The assessment will review the content of the Local Development Plan for impacts on the environment. This is a continuous part of the plan preparation process. The environment report is published at the same time as the final proposed plan.

PARTICIPATION STATEMENT

Dundee City Council is committed to encouraging wide ranging stakeholder and public involvement in the preparation of the Dundee Local Development Plan.

By inviting involvement at all stages of the Plan's preparation, the Council seeks to enable those with an interest in the area e.g., members of the public, businesses, key organisations, and community groups, to contribute their views before decisions are taken. This applies equally to those who support elements of the Plan as to those who wish to make objections. In doing so the Council will seek to ensure that:

- arrangements for participation are as open, transparent and practical as possible taking cognisance of the resources available to Dundee City Council;
- information is provided fully and as early as possible; and
- communication is provided through appropriate and widely accessible means, in particular noting the use of the council's website as the primary repository for documentation and information.

The participation process will seek to involve a wide range of parties including:

- Public Sector Groups (including key government departments and agencies);
- Private Sector groups (including infrastructure providers, business, retail and housing development interests);
- established Community Groups (including Community Councils and other special interest groups);
- voluntary and environmental organisations;
- Local Community Planning Partnerships (LCPP); and
- all members of the community, including minority groups, younger citizens, disabled people, gypsies and travellers.

It must be noted that the Development Plan also utilises inputs from other documents such as the National Planning Framework, Community Plans, Local Place Plans, Play Sufficiency Assessments etc., which have their own separate consultation arrangements.

Special arrangements will be put in place for the bodies designated as Key Agencies by the Scottish Government:

- Historic Environment Scotland;
- Nature Scot;
- Scottish Environmental Protection Agency;

- Scottish Water;
- Scottish Enterprise;
- Tactran Regional Transport Partnership;
- NHS Tayside;
- Transport Scotland;
- Marine Scotland;
- Scottish Forestry; and
- Architecture and Design Scotland

Dundee City Council will engage with the Key Agencies Group as part of a pilot project to support a collective approach to evidence gathering at early stages of the Plan.

Email Address

localdevplan@dundeecity.gov.uk

Postal Address

Local Development Plan
Planning Team
City Development Department
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Dundee House
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Email Mailing List and Keeping Informed:

To assist the Council in ensuring that those who want to be involved in the process are kept up to date on progress there is the opportunity to register contact details to receive future correspondence by e-mail.

To register details please send an e-mail to localdevplan@dundeecity.gov.uk

Your details will be used for occasional communications related to consultations and other related activities undertaken by Dundee City Council City Development Department. You can unsubscribe at any time.

General information and associated documents will be available through the webpages at www.dundeecity.gov.uk/localdevplan2 . Announcements will also be made via other channels, for example, including social media and statutory public notices in newspapers.

Making Representations

Throughout the plan preparation process Dundee City Council encourages everyone to make representations, both in support of the Plan and in raising representations or objections to it. This will be facilitated by e-mail (localdevplan@dundeecity.gov.uk) or via the website:

www.dundeecity.gov.uk/localdevplan2, and in letter form.

Key Stages in the Process for Making Representations

We would encourage any person that wishes to raise an issue to be considered in the Local Development Plan to do so as early as possible and not necessarily wait until a formal consultation period. The Local Development Plan preparation process is complex, and it may not be possible to take into account late submissions of comments or representations.

The principal formal periods for consultation are:

Development Plan Scheme (this document): comments and suggestions are sought on the content of the Participation Statement to ensure effective engagement is undertaken.

Evidence Report: targeted consultation will occur to ensure the necessary evidence is being properly considered for inclusion in the report. Consultation for the evidence report is likely to be specific to certain topics and not a general consultation. We welcome the submission of general comments at any time during the plan preparation process.

Local Place Plans: these are community-led plans setting out proposals for the development and use of land and set out a community's aspirations for its future development. Once completed and then registered, they are to be taken into account in the preparation of the Local Development Plan. Community groups that are eligible to prepare Local Place Plans (eg, Community Councils) will be contacted directly by Dundee City Council and invited to prepare a plan. Consultation on those plans will be undertaken by the community groups and dates for that are out with control of Dundee City Council. Local Place Plans will require to be completed by summer 2025 in order to be considered during preparation of the Proposed Local Development Plan.

Call For Ideas: this activity seeks to encourage any person that has not already done so, to submit any idea for the plan to consider. This could include the need to protect an area of locally important green space; to propose a piece of land for a specific type of development or identify barriers to the positive development of an area in the city.

Proposed Local Development Plan Consultation: the Proposed Plan will represent Dundee City Council's position on the development and use of land in the city, based on the evidence gained until the point of publication. All persons will then have the opportunity to formally submit comments and representations either in support, or to seek a change from that position. In addition, any person who is an owner, lessee or occupier of land neighbouring a proposal site will receive direct notification.

Format of consultations and engagement:

- the Local Development Plan Review Webpage: www.dundee.gov.uk/localdevplan2 will be used throughout the plan preparation process as the primary location for hosting consultation documents and providing information;
- representations, comments, objections will only be accepted as formal submissions if submitted in writing with email being the preferred means of communication;
- we will seek to provide accessible documents for all consultations but persons requiring alternative formats are urged to contact us to discuss their specific requirements so they can be accommodated as the plan preparation proceeds; and
- all submissions to the plan will be fully considered and mediation between contributing parties may be considered as a method of addressing competing or potentially contentious issues which cannot be resolved.

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