

**REPORT TO: CITY DEVELOPMENT COMMITTEE – 22 FEBRUARY 2016**

**REPORT ON: DUNDEE DEVELOPMENT PLAN SCHEME 2016**

**REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT**

**REPORT NO: 39-2016**

## **1 PURPOSE OF REPORT**

1.1 The report sets out the 2016 Development Plan Scheme for the Dundee Local Development Plan.

## **2 RECOMMENDATION**

2.1 It is recommended that the Committee:

- a approves the Development Plan Scheme 2016 as set out in Appendix 1;
- b refers the Development Plan Scheme 2016 to the Scottish Government for information; and
- c remits the Director of City Development to publish and implement the Development Plan Scheme 2016.

## **3 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications from the Development Plan Scheme.

## **4 BACKGROUND**

4.1 The Town and Country Planning (Scotland) Act 1997 requires each Planning Authority to prepare a Development Plan Scheme, and review it annually.

4.2 The Development Plan Scheme is required to set out the Authority's programme for preparing and reviewing its Local Development Plan and gives a general indication of what is involved at each stage, together with dates for key stages in the process.

4.3 The Development Plan Scheme must also include a "participation statement" stating the expected arrangements for consultation on the Plan preparation.

4.4 After adopting the Development Plan Scheme, the Act requires the Authority to publish it, send 2 copies to Scottish Ministers and place copies in public libraries.

## **5 REVISED DEVELOPMENT PLAN SCHEME**

5.1 The current Dundee Local Development Plan was adopted on 5 December 2013. Legislation requires the Council to undertake a review of its Local Development Plan on a 5 yearly cycle to ensure that an up to date plan is in place at all times.

5.2 The Development Plan Scheme 2016, as contained in the Appendix to this report, identifies the key dates for the review of the existing Dundee Local Development Plan 2014.

5.3 The Development Plan Scheme identifies that during 2015, activities undertaken included gathering evidence for the review of the Local Development Plan, undertaking an Environmental appraisal, engaging with key stakeholders and producing a Monitoring Report and Main Issues Report for the purposes of consultation. The Main Issues Report consultation is being undertaken between 11 January and 29 February 2016.

- 5.4 During 2016 the responses of the Main Issues Report consultation will be collated and considered with a view to the publication of a Proposed Plan and proposed Action Programme in December 2016.

## **6 POLICY IMPLICATIONS**

- 6.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

## **7 CONSULTATIONS**

- 7.1 The Chief Executive, the Executive Director of Corporate Services, Head of Democratic and Legal Services and Police Scotland have been consulted and are in agreement with the contents of this report.

## **8 BACKGROUND PAPERS**

- 8.1 There are no background papers of relevance to this report.

Mike Galloway  
Executive Director of City Development

Gregor Hamilton  
Head of Planning and Economic Development

GH/SP/KM

11 February 2016

Dundee City Council  
Dundee House  
Dundee

## DUNDEE LOCAL DEVELOPMENT PLAN SCHEME 2016

This Development Plan Scheme 2016 is published by Dundee City Council with regards to the preparation of the Dundee Local Development Plan. It contains updated information on the progress made towards preparing the Dundee Local Development Plan and timescales for the main stages of the plan preparation process.

### Background

The Planning etc (Scotland) Act 2006 introduced a process for the replacement of Structure Plans with Strategic Development Plans covering the 4 main city regions of Scotland and the replacement of Local Plans with Local Development Plans.

The preparation of the Strategic Development Plan for this area is undertaken by the TAYplan Strategic Development Planning Authority (SDPA), whilst Dundee City Council undertakes the preparation of the Dundee Local Development Plan.

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

The TAYplan Strategic Development Plan was approved in June 2012 and along with the Dundee Local Development Plan 2014 form the statutory Development Plan for the Dundee City Council Area.

The TAYplan Strategic Development Plan is currently being reviewed. TAYplan consulted upon the Main Issues Report in late 2014 and published a Proposed Plan during 2015. It is anticipated that a new Strategic Development Plan will be approved in late 2016.

Supplementary Guidance on a specific planning topic may be prepared and when adopted forms part of the Development Plan. The adopted Dundee Local Development Plan 2014 identified Supplementary Guidance to be prepared in relation to:

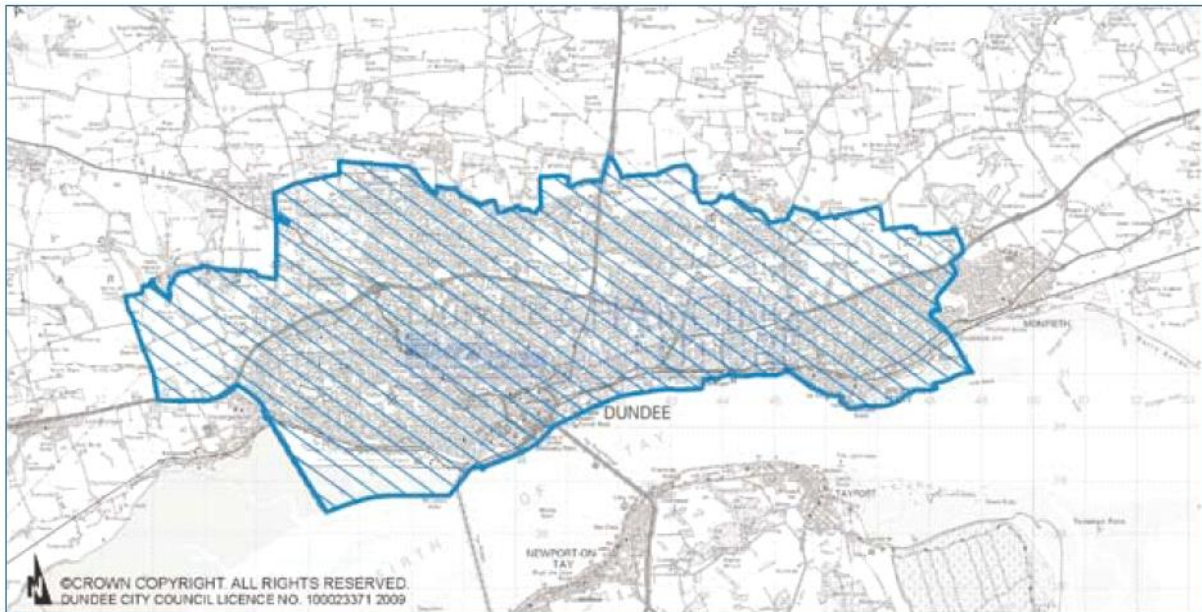
- Developer Contributions;
- Air Quality and Land Use Planning;
- Householder Development; and
- Flood Risk Management

The Supplementary Guidance for Developer Contributions, Air Quality and Land Use Planning and Householder Development have all been prepared and adopted.

The need for Supplementary Guidance on the subject of Flood Risk Management is currently under consideration.

The Dundee Local Development Plan 2014 covers the entire Dundee City Council administrative area and will remain as the statutory Plan until such time as a replacement Local Development Plan is adopted. It is a requirement that all plans be replaced within 5 years.

## Dundee Local Development Plan Area



### Strategic Environmental Assessment

The Environmental Assessment (Scotland) Act 2005 makes Strategic Environmental Assessment a legal requirement for certain plans, programmes and strategies, including the Local Development Plan.

The purpose of SEA is to provide proper consideration for the environment by ensuring that environmental issues are considered by decision makers alongside economic and social issues. This is achieved by systematically assessing the potential significant environmental effects of the Plan. The process involves a number of key stakeholders including the Scottish Environment Protection Agency, Scottish Natural Heritage, and Historic Scotland.

The SEA is undertaken in conjunction with the preparation of the Local Development Plan and the findings published in an environment report.

More information on Strategic Environmental Assessment is available from the Scottish Government Website (<http://www.scotland.gov.uk>).

### Habitats Regulation Appraisal

A Habitats Regulation Appraisal (HRA) is mandatory under the Conservation (Natural Habitats) Regulations 1994, as amended. Its purpose is to screen which policies or proposals may have an impact on the conservation objectives and qualifying features of Special Conservation Areas or Special Protection Areas.

The preparation of the HRA will be undertaken in consultation with Scottish Natural Heritage and the outcomes published alongside the Proposed Dundee Local Development Plan.

## Preparing a New Dundee Local Development Plan

### Stages

The main stages of the process to prepare and implement the Local Development Plan are:

- preparation and regular updating of a Development Plan Scheme, including Participation Statement (this document);
- preparation and publication of a Monitoring Statement;
- preparation and publication of a Main Issues Report and Environment Report;
- preparation and publication of a Proposed Plan, and Proposed Action Plan;
- submission of the Proposed Plan, Action Programme, Habitats Regulations Appraisal, Environmental Report and statement of conformity with the Participation Statement to Scottish Ministers;
- examination (to consider any outstanding representations);
- adoption of Plan and Action Programme.

Following publication of the first Development Plan Scheme in 2009, Dundee City Council completed these steps and adopted the first Dundee Local Development Plan on 5 December 2013.

The Local Development Plan will be reviewed every five years to ensure that an up to date Plan is in place at all times. This Development Plan Scheme sets out the intended timescale for the review of the existing Local Development Plan in order to ensure that an up to date plan is in place at all times.

Documents associated with the Dundee Local Development Plan and its review can be viewed on Dundee City Council's website at:

[www.dundee.gov.uk/localdevplan](http://www.dundee.gov.uk/localdevplan); and

[www.dundee.gov.uk/localdevplan2](http://www.dundee.gov.uk/localdevplan2)

### **Local Development Plan Review - Timetable**

As part of the Development Plan Scheme Ministers require that Councils set out a broad timetable for the stages in the preparation of new or revised plans.

The timetable below sets out the expected timings for the main stages of the Local Development Plan review process.

Any alteration to timescales will be communicated via the annual Development Plan Scheme and via the website at [www.dundee.gov.uk/localdevplan](http://www.dundee.gov.uk/localdevplan).

Stage	Plan Preparation Process		Estimated Timetable
	Local Development Plan	Strategic Environmental Assessment	
	Publication of Development Plan Scheme including participation statement		March 2015
<b>Evidence Gathering</b>	Engage with Key Agencies etc Prepare Monitoring statement and Main Issues Report	Collate baseline information Prepare scoping report and submit to SEA Gateway Environmentally appraise Main Issues Report	Completed During 2015
<b>Main Issues Report</b>	Publish Monitoring Statement and Main Issues Report	Publish Environmental Report	Completed December 2015
	Consultation Period	Consultation Period	11 January to 29 February 2016
<b>Proposed Plan</b>	Consider consultation responses and prepare Proposed Plan and Action Programme	Consider consultation responses Environmentally appraise Proposed Plan Undertake Appropriate Assessment Amend Environmental Report	To October 2016
	Publish Proposed Plan and Proposed Action Programme	Publish Revised Environmental Report Prepare HRA Record – Appropriate Assessment	December 2016
	Period for consultation and submission of representations. Notify neighbours	Consult on Environmental Report	Early 2017
<b>Submission to Ministers</b>	Consider representations. Prepare response and Report of Conformity with Participation Statement.	Consider responses	During 2017
	Submit Proposed Plan, action programme and Statement of Conformity with Participation Statement (as modified if relevant) with Note of Representations and how taken account of to Ministers. Publicise submission of plan.	Submit Habitats Regulation Appraisal to Ministers	December 2017

Stage	Plan Preparation Process		Estimated Timetable
	Local Development Plan	Strategic Environmental Assessment	
		Publication of Development Plan Scheme including participation statement	
<b>Examination</b>	Examination of Proposed Plan		Spring 2018
<b>Consider Recommendations</b>	Planning authority considers recommendations and prepares Modifications, Proposed Plan as modified and Statement of Explanation for not accepting any recommendations	Environmentally appraise modified plan if necessary.	Summer 2018
	Publish Modifications and Proposed Plan as modified. Advertise intention to adopt Plan. Send Ministers the Proposed Plan as modified etc	Ministers publish revised Environmental Report and Habitats Regulation Appraisal if required	Autumn 2018
<b>Adoption</b>	Planning Authority adopts plan	Publish post-adoption SEA statement.	December 2018
<b>Publish Action Programme</b>	Publish Action Programme		December 2018

## Participation Statement

Dundee City Council is committed to encouraging participation with wide 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 ensure that those with an interest in the area eg members of the public, businesses, key organisations and community groups, have an opportunity 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;
- information is provided fully and as early as possible;
- communication is provided through appropriate and widely accessible means, in particular by use of the council's website.

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 business, retail and housing development interests);
- Established Community Groups (including Community Councils);
- Voluntary and environmental organisations;
- Local Community Planning Partnerships (LCPP); and
- General members of the community, including younger citizens.

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.

To register details - please send an email to [localdevplan@dundeecity.gov.uk](mailto:localdevplan@dundeecity.gov.uk)

General information and associated documents will be available through the webpages at [www.dundeecity.gov.uk/localdevplan2](http://www.dundeecity.gov.uk/localdevplan2). Key stages of the process will additionally be advertised via email to registered persons.

## Making Representations

At every stage in 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](mailto:localdevplan@dundeecity.gov.uk)), via the website [www.dundeecity.gov.uk/localdevplan2](http://www.dundeecity.gov.uk/localdevplan2), and in letter form.

Representations are sought in respect of all aspects of the Local Development Plan including the Environment Report.

All representations and objections will be placed on a public register and are not confidential.



**Accessing Documents and Up To Date Information**

Dundee City Council will make copies of the most up to date documents relating to the production of the Local Development Plan, available principally through its website:

[www.dundee.gov.uk/localdevplan](http://www.dundee.gov.uk/localdevplan) (Local Development Plan 2014); and

[www.dundee.gov.uk/localdevplan2](http://www.dundee.gov.uk/localdevplan2) (Local Development Plan Review)

**Contact**

The main point of contact for correspondence should be as noted below.

By e-mail:

[localdevplan@dundee.gov.uk](mailto:localdevplan@dundee.gov.uk)

By Post:

Local Development Plan  
Development Plans & Regeneration Team  
City Development Department  
Dundee City Council  
Dundee House  
50 North Lindsay Street  
Dundee  
DD1 1LS