

REPORT TO: CITY DEVELOPMENT COMMITTEE - 28 MARCH 2011

REPORT ON: DUNDEE DEVELOPMENT PLAN SCHEME 2011

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 44-2011

1 PURPOSE OF REPORT

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

2 RECOMMENDATION

2.1 It is recommended that the Committee:

- a approve the revised Development Plan Scheme as set out in Appendix 1;
- b refer the revised Development Plan Scheme to the Scottish Government for information; and
- c remit the Director of City Development to publish and implement the Development Plan Scheme.

3 FINANCIAL IMPLICATIONS

3.1 The financial implications from this report are contained within the City Development Department budget.

4 BACKGROUND

4.1 The Planning etc (Scotland) Act 2006 requires each Planning Authority to prepare a Development Plan Scheme, and review it annually.

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

4.3 The Development Plan Scheme also includes 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. There is no requirement to consult on the content of the Development Plan Scheme, nor receive ministerial approval.

4.5 Preparatory work has commenced on preparing the Dundee Local Development Plan. The timescales for this were set out in the previous Development Plan Scheme which have been approved by Committee in spring each year.

5 REVISED DEVELOPMENT PLAN SCHEME

- 5.1 Dundee City is one of 4 designated City Region areas under the 2006 Planning etc (Scotland) Act. As such, there are 2 Development Plan Schemes which affect the City. This report relates only to the Development Plan Scheme associated with the Local Development Plan. The Development Plan Scheme associated with the Strategic Development Plan is prepared by TAYplan in association with the partner authorities of Dundee, Perth & Kinross, Angus and North Fife.
- 5.2 The preparation of the Local Development Plan is linked by legislation to the timescales for the production of the TAYplan Strategic Development Plan. As a result the preparation of the Local Development Plan should not progress ahead of the main stages of the Strategic Development Plan preparation process.
- 5.3 There are 2 main stages in the preparation of the Strategic Development Plan which affect the timescale for the preparation of the Local Development Plan. The first of these relates to the publication of the Proposed Strategic Development Plan. The advice set out in Circular 1/2009 advises that the Main Issues Report for the Local Development Plan should not be published prior to the publication of the proposed Strategic Development Plan. The second requirement relates to the timescale for submission of the proposed Local Development Plan to Scottish Ministers. It is advised that this should not be done until the Strategic Development Plan has been approved by Scottish Ministers.
- 5.4 TAYplan are currently updating the timescale for the preparation of the Strategic Development Plan and revising their Development Plan Scheme. The Development Plan Scheme for the Local Development Plan, as contained in the Appendix to this report, has to take into account the effect of any such changes. At present the Local Development Plan has not been subject to any delay due to the changes in the preparation timescales of the Strategic Development Plan. The key dates for the preparation of the Local Development Plan therefore remain as follows:
- a publication of Main Issues Report - August 2011;
 - b publication of the proposed Local Development Plan - August 2012;
 - c examinations of proposed Local Development Plan - Summer 2013; and
 - d adoption of Local Development Plan - Summer 2014.
- 5.5 Following the publication of the previous Development Plan Scheme, The City Development Department has been undertaking preparatory work in support of the Local Development Plan preparation process. This has included an assessment and review of the strategy and policies of the Dundee Local Plan Review 2005, meetings with all of the Key Agencies and a series of departmental workshops identifying issues for consideration in the Main Issues Report. Progress has also been made on preparing a consultation/communication strategy for engaging with interested parties, including an initial awareness raising exercise.
- 5.6 Between August and October 2010, the Department undertook an initial consultation exercise to raise awareness of the plan preparation, identify issues for consideration in the Main Issues Report and obtain nominations for potential future development

sites. Details of this exercise were reported to the City Development Committee on 6 December 2010 (Report 659-2010 refers).

- 5.7 The next stage is the publication of a Main Issues Report. This key document is important as it facilitates the principal engagement opportunity within the plan preparation process. Its publication later in 2011 offers the general public, private industry and other stakeholders the opportunity to make comments on the general proposals for development within Dundee prior to decisions being made on the content of a proposed Local Development Plan for the City.

6 CONCLUSIONS

- 6.1 The Scottish Government has placed a duty on planning authorities to prepare a Development Plan Scheme on an annual basis. Dundee's first Development Plan Scheme was published in March 2009.
- 6.2 The Development Plan Scheme prepares the way for the introduction of a Local Development Plan and sets out the expected timescales for plan production and consultation over the next 12 months.
- 6.3 The proposed Development Plan Scheme for the Local Development Plan has been prepared, taking into account the revised timescale for the preparation of the TAYplan Strategic Development Plan and is contained within Appendix 1 of this report.

7 POLICY IMPLICATIONS

- 7.1 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.

8 CONSULTATIONS

- 8.1 The Chief Executive, Depute Chief Executive (Support Services), Director of Finance and Assistant Chief Executive have been consulted and are in agreement with the contents of this report.

9 BACKGROUND PAPERS

- 9.1 Development Plan Scheme - March 2010.
- 9.2 Report 659-2010 to the City Development Committee on 6 December 2010.

Mike Galloway
Director of City Development

MPG/IJ/SP/KM

14 February 2011

Dundee City Council
Tayside House
Dundee

APPENDIX



DUNDEE CITY
LOCAL DEVELOPMENT PLAN SCHEME
JANUARY 2011

Dundee City Local Development Plan Scheme 2011

This is the third Development Plan Scheme 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 Local Development Plan and amended 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 four 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 being undertaken by TAYplan Strategic Development Planning Authority (SDPA), whilst Dundee City Council is undertaking the preparation of the Local Development Plan.

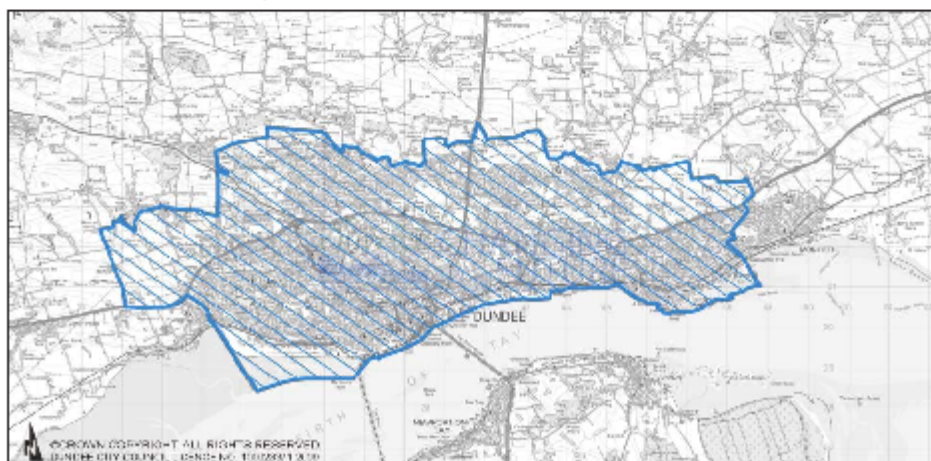
This Development Plan Scheme refers only to the Dundee Local Development Plan.

Once both plans are completed, the Strategic Development Plan and the Local Development Plan will form the statutory Development Plan for the Dundee City Council Area. In addition, Supplementary Planning Guidance on a specific planning topic may be prepared and form part of the Development Plan.

The existing Local Plan is the Dundee Local Plan Review 2005. This plan remains in force until such time as its replacement Local Development Plan is adopted.

The area to be covered by the Local Development Plan is the entire Dundee City Council administrative area.

Dundee Local Development Plan Area



Strategic Environmental Assessment

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

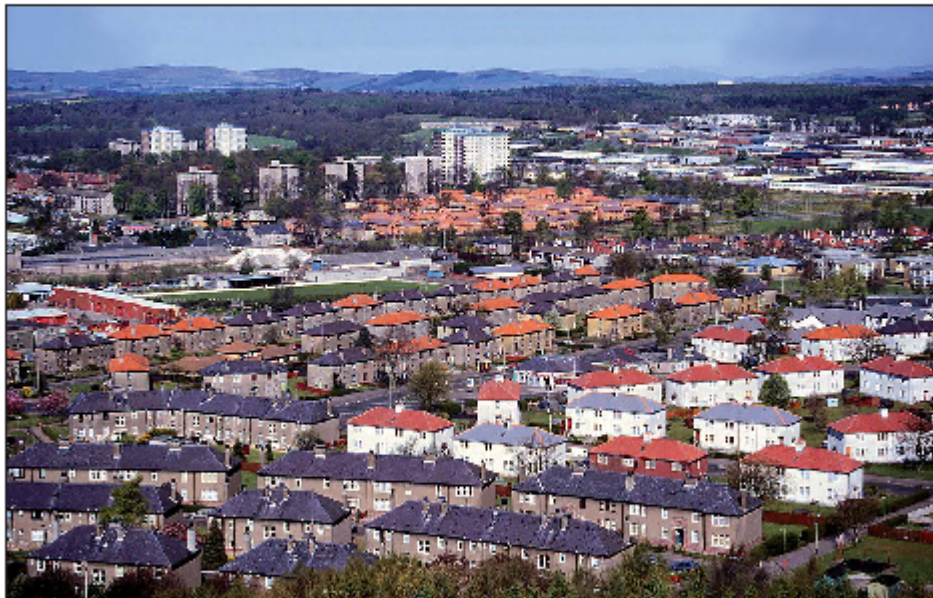
The purpose of SEA is to provide proper consideration for the environment by ensuring that environmental issues are considered by decision makers alongside economic and social issues. This is achieved by systematically assessing the potential significant environmental effects of the plan. The process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

The SEA will be undertaken in conjunction with the Local Development Plan and where possible consultation events for both will be

run concurrently. The SEA findings will be published in an environmental report.

A Habitat Regulations Appraisal is mandatory under the Habitats Directive which, in Scotland, is governed by The Conservation (Natural Habitats, etc.) Regulations 1994. The purpose of the Habitat Regulations Appraisal is to screen what policies or proposals may have an impact, and for those screened in, undertake an Appropriate Assessment. This assesses the impacts of the Plan against the conservation objectives and qualifying features of the relevant wildlife sites with European protection. The Assessment identifies mitigation measures. The appraisal is submitted to Ministers alongside the Proposed Plan.

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



Preparing the Local Development Plan

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

1. Publication of a Development Plan Scheme, including Participation Statement (this document)
2. Preparation and Publication of a Monitoring Statement
3. Preparation and Publication of a Main Issues Report
4. Preparation and Publication of a Proposed Plan, and Proposed Action Plan
5. Submission of the Proposed Plan, Action Programme and statement of conformity with the participation statement to Scottish Ministers
6. Examination (to consider any outstanding representations)
7. Adoption Of Plan

Recent Activity

Following publication of the first Development Plan Scheme in 2009, Dundee City Council has undertaken a number of tasks in support of the plan preparation process. This has included monitoring and assessments of the Dundee Local Plan Review 2005. Consultation with Key Agencies has also taken place and assisted with the process for the preparation of the Local Development Plan and progress towards a Main Issues Report.

During Autumn 2010 an initial consultation exercise was undertaken. This consultation had the following aims:

- To raise awareness of the preparation of the Dundee Local Development Plan
- To identify individuals and groups that would like to be involved in, or kept informed of the development of the plan.
- To seek initial views on any key issues that require to be addressed by the plan, or direction the plan should take.
- To identify potential development sites across the plan area.

Information on the outcomes of the initial consultation are obtainable from Dundee City Council's website at www.dundee.gov.uk/localdevplan



Local Development Plan - Timetable

As part of the Development Plan Scheme Ministers require that Councils set out a broad timetable for the stages in the preparation of their plan.

The timescale for preparation of the Local Development Plan is linked with that of the TAYplan Strategic Development Plan. The Local Development Plan should not progress advance of the Strategic Development Plan. Therefore, any changes to the timings for the preparation of the Strategic Development Plan may influence those of the Local Development Plan.

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

Any alteration to timescales will be communicated via the annual Development Plan Scheme and via the website at www.dundee.gov.uk/localdevplan

Stage	Plan Preparation Process	Estimated Timetable
1	Publish Development Plan Scheme	March 2011
2	Publish Main Issues Report and Monitoring Statement.	August 2011
3	Main Issues Report Consultation	August 2011 – October 2011
4	Consider representations and prepare Proposed Plan and Action Programme	November 2011 to Spring 2012
5	Publish Proposed Plan and Proposed Action Programme	August 2012
6	Period For Representations on Proposed Plan	to November 2012
7	Consider Representations	Early 2013
8	Submit Proposed Plan to Ministers Submit Action Programme and Statement Of Conformity with Participation Statement.	Mid 2013
9	Examination of Proposed Plan	Mid 2013 to Early 2014
10	Publish Modifications and Proposed Plan	Summer 2014
11	Planning Authority Adopts Plan Publish Action Programme	Late 2014

Participation

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

- Local Community Planning Partnerships (LCPP)
- General members of the community, including younger citizens.

By inviting involvement at all stages of the Plan's preparation, the Council seeks to ensure that those with an interest in the area e.g. 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.

The Local Community Planning Partnerships (LCPP) are a key mechanism within Dundee for communication within the community. These partnership groups offer full coverage of the plan area and are supported by communities officers. In addition to attendance by officers from throughout Dundee City Council, the LCPP is also attended by representatives of the emergency services, health and voluntary sectors thus allowing a broader consideration and greater interpretation of issues raised.

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 Council is keen to encourage interested individuals, groups and organisations or any other party, to participate in the preparation of the Dundee Local Development Plan. 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.

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

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

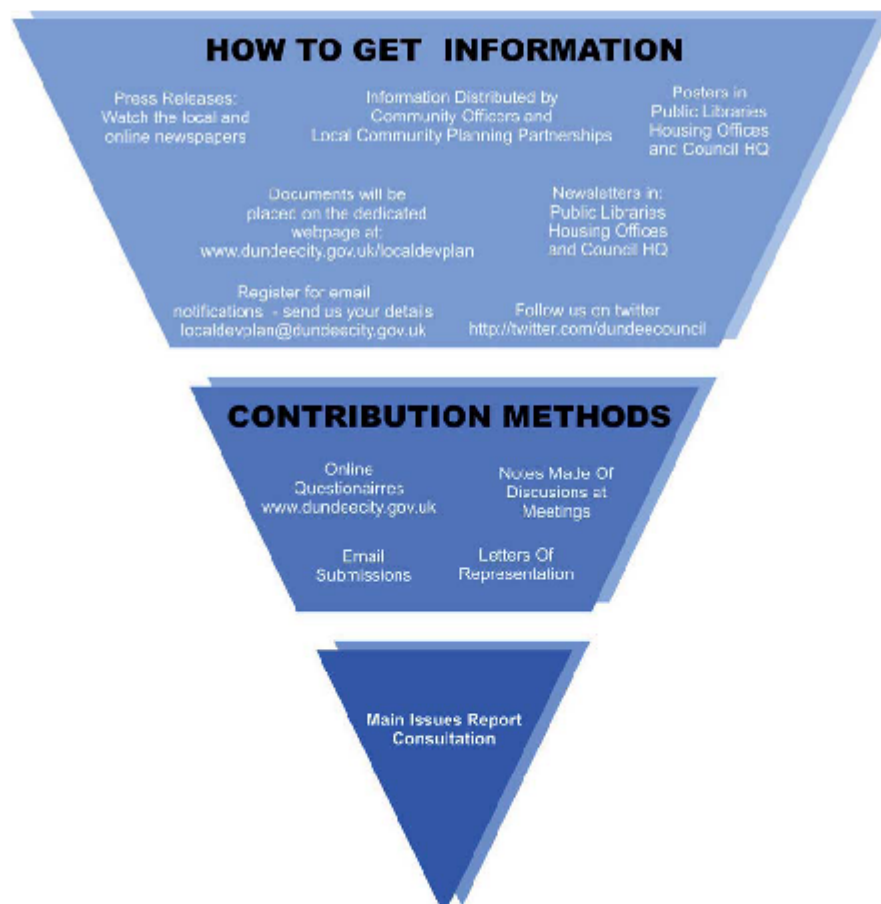
- Public Sector Groups (including key government departments and agencies)
- Private sector groups (including business, retail and housing interests)
- Established Community Groups (including Community Councils)
- Voluntary and environmental organisations

General information and associated documents will be available through the webpages at www.dundeecity.gov.uk/localdevplan. Key stages of the process will additionally be advertised via email to registered persons.

Consultations in 2011

During early 2011, Dundee City Council will be considering the results of previous consultations and using these to inform the production of a Main Issues Report (MIR). The MIR is considered as the most important consultative stage in the plan preparation process and this process is expected to occur on or shortly after August 2011. The MIR is not a draft plan but its content is intended to stimulate discussion on important issues which will in turn provide direction for the content of a Proposed Plan.

Main Issues Report Consultation



Making Representations

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 email (localdevplan@dundeecity.gov.uk), via the website www.dundeecity.gov.uk/localdevplan, and in letter form.

Representations are sought in respect of all aspects of the Local Development Plan including the Strategic Environmental Assessment.

All representations and objections will be placed on a public register and cannot be kept 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 at www.dundeecity.gov.uk/localdevplan



Contact

The main point of contact for correspondence should be:

by email:

localdevplan@dundeecity.gov.uk

By Post:

Local Development Plan
Policy & Strategy Team
City Development Department
Dundee City Council
Tayside House
Crichton Street
Dundee
DD1 3RB



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