

**REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE –
27 JANUARY 2003**

REPORT ON: FINALISED DUNDEE LOCAL PLAN REVIEW

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 48-2003

1 PURPOSE OF REPORT

- 1.1 To seek the Committee's approval of the Finalised Dundee Local Plan Review, which details the Council's recommended Development Strategy in accordance with the recently approved Dundee and Angus Structure Plan.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee:
- a approves the Finalised Dundee Local Plan Review;
 - b remits the Director of Planning and Transportation to make the necessary arrangements to print the Finalised Local Plan and thereafter advertise its availability and invite formal objections;
 - c remits the Director of Planning and Transportation to report back to Committee with details of formal objections submitted and to recommend how the Council should respond to these;
 - d notes that objections submitted to the Finalised Local Plan and not withdrawn will require to be considered at a Public Local Inquiry convened by the City Council;
 - e agrees that the Finalised Local Plan be referred to the Development Quality Committee for information as a material consideration in making planning decisions, including the determination of planning applications; and
 - f approves the proposal to make a charge of £15.00 for copies of the Finalised Local Plan, with the exception of statutory consultees who will receive a free copy. Copies of the Plan will also be available for inspection free of charge at libraries, Council Offices and on the Internet.

3 FINANCIAL IMPLICATIONS

- 3.1 Provision is made in the Planning and Transportation Department's 2002/2003 Revenue Budget under the Development Plan heading for the financial implications directly associated with this report, including the printing of the Finalised Local Plan. The costs associated with future stages in the Local Plan preparation process, including any Public Local Inquiry to consider objections, will be the subject of separate reports to Committee.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 The Dundee Local Plan Review is a vitally important document for the identification and progression of the City Council's aims and objectives on a wide range of economic, social and environmental issues. The advancement of the Dundee Local Plan Review will positively influence, to a greater or lesser extent, the achievement of virtually all of the key themes identified in Dundee 21.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 The Dundee Local Plan Review represents a major land use planning document through which the City Council can advance many of its corporate strategies. In taking forward the Local Plan Review, regard has been had to the need to promote equality of opportunity.
- 5.2 In addition, in making arrangements for involving stakeholders in the Local Plan preparation process, positive efforts have been made to encourage the participation of groups and individuals that represent minority interests.

6 BACKGROUND

- 6.1 Members will recall that the Dundee Local Plan Review Consultative Draft 2002 was approved for consultation purposes at the meeting of the Planning and Transportation Committee on 24 June 2002 (Report 242/2002). A subsequent report to the Planning and Transportation Committee's meeting on 2 December 2002 detailed the comments that had been received in response to the Consultative Draft Local Plan (Report 814/2002). This latter report remitted the Director of Planning and Transportation to bring forward the Finalised Dundee Local Plan Review for approval to the Planning and Transportation Committee on 27 January 2003. This report fulfils the remit.
- 6.2 Members will recall that the Consultative Draft Local Plan sets out options for development as a means of encouraging debate on various proposals that had been put to the Council. The Finalised Local Plan Review however, if approved by Committee, sets out the Council's preferred strategy for development in the City. This strategy conforms to the Dundee and Angus Structure Plan that was approved by Scottish Ministers in October 2002. In essence, it is the Local Plan that the Council intends to adopt. As such, unlike the Consultative Draft Local Plan, it is appropriate the Council regard the Finalised Local Plan as a material consideration in the making of planning decisions, including the determination of planning applications.
- 6.3 Subject to the Committee's approval, arrangements will be made for the Finalised Local Plan to be printed. It is anticipated that the Finalised Local Plan will then be advertised early in April and a minimum period of six weeks allowed for the submission of formal objections. In accordance with the Town and Country Planning (Structure and Local Plans)(Scotland) Regulations 1983, the Council is required to submit two certified copies of the Finalised Local Plan to Scottish Ministers together with a Statement of Publicity and Consultation. The statement of Publicity and Consultation as required by Section 12(5) of the Town and Country Planning (Scotland) Act 1997 will be available at the time of formal advertisement of the finalised Local Plan.
- 6.4 Copies of the Finalised Local Plan will be sent, free of charge to all statutory consultees. In addition, copies of the Plan will be made available for inspection at all public libraries in Dundee and at the Council's offices in Tayside House. Arrangements are also to be made to enable the Finalised Plan to be accessible on the Internet using software that will allow simple and effective viewing of different parts of the Plan. Finally, it is proposed that copies of the Finalised Local Plan will be available to purchase at a cost of £15.00, excluding postage and packing.
- 6.5 Any formal objections submitted in response to the Finalised Local Plan and not withdrawn will require a Public Local Inquiry to be convened. A subsequent report detailing objections received in response to the Finalised Local Plan will be submitted to Committee at the earliest possible date. This report will summarise the objection and make a recommendation to the Council on a response. At this stage, the opportunity for modification of the Plan to allow the objection to be withdrawn will be explored. It is however, anticipated that an Inquiry will be necessary and that this will commence towards the end of 2003.

7 CONCLUSION

- 7.1 Together with the recently approved Dundee and Angus Structure Plan, the Finalised Local Plan, once adopted, will set an important land use context for development in the City. Members will be aware that Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that planning decisions are made in accordance with the development plan, unless material considerations indicate otherwise.
- 7.2 The Finalised Plan represents a milestone in the Local Plan preparation process and is a significant step forward from the Consultative Draft Local Plan published in August 2002. The Finalised Plan, if approved, will set out the City Council's preferred policies and proposals for development for the period to 2011 and will be an important influence on the future prosperity and quality of life in the City.

8 CONSULTATIONS

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

9 BACKGROUND PAPERS

- 9.1 Dundee Local Plan Review Consultative Draft 2002.
- 9.2 Report 242/2002: The Dundee Local Plan Review Consultation Draft.
- 9.3 Report 814/2002: The Dundee Local Plan Review Consultative Draft 2002 – Feedback from Public Consultation Process.

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