

**ITEM No ...4.....**

**REPORT TO:** FAIR WORK, ECONOMIC GROWTH AND INFRASTRUCTURE  
COMMITTEE – 19 AUGUST 2024

**REPORT ON:** REVIEW OF PERMITTED DEVELOPMENT RIGHTS IN CONSERVATION  
AREAS

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

**REPORT NO:** 201-2024

**1 PURPOSE OF REPORT**

1.1 This report seeks approval to cancel the current Article 4 Directions which restrict permitted development rights in 16 of Dundee’s 17 Conservation Areas, as they are no longer required.

**2 RECOMMENDATION**

2.1 It is recommended that the Committee:

- a agrees the cancellation of the current Article 4 Directions in 16 of Dundee’s Conservation Areas; and
- b delegates the Head of Planning and Economic Development to undertake the statutory advertisement procedure advising of the cancellation of Article 4 Directions.

**3 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications arising from this report.

**4 BACKGROUND**

4.1 Permitted development rights allow works for specific classes of development to be carried out without a planning application. Permitted development rights are granted by and subject to limitations and conditions by the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

4.2 Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 allows a Local Authority to remove or restrict permitted development rights within a specific area. The Council currently has Article 4 Directions across 16 of the city’s 17 Conservation Areas (Baxter Park, Blackness, Broughty Ferry, Central, Crescents, Forthill, Grove, Law Terraces, Logie, Maryfield, Reres Hill, Trottick, University, West End Lanes, West End Suburbs and West Ferry). Lochee Conservation Area has no Article 4 Direction. Some of these Directions date back to 1978. These Directions were made to preserve or enhance the special architectural or historic interest of the character or appearance of the Conservation Areas.

4.3 The Council’s Article 4 Directions were not implemented identically. Each Article 4 Direction restricts specific classes of development relating to the individual Conservation Area. Where permitted development rights are restricted by an Article 4 Direction, planning permission is required.

4.4 Since making the Article 4 Directions, the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 has been amended. The Order now restricts alterations and minor development works within Conservation Areas that were previously covered through the additional controls introduced by Article 4 Directions. These legislative changes effectively replace the need for the Article 4 Directions.

4.5 As part of the cancellation process a Statutory Notice must be advertised and circulated within a local newspaper.

4.6 This cancellation would not prevent the Council enacting future Article 4 Directions if there was a need for permitted development rights to be further restricted in the future.

## **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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8 August 2024