

ITEM No ...6.....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 11 MARCH 2019

REPORT ON: DUNDEE DEVELOPMENT PLAN SCHEME 2019

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 51-2019

1 PURPOSE OF REPORT

1.1 The report sets out the 2019 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 2019 as set out in Appendix 1;
- b refers the Development Plan Scheme 2019 to the Scottish Government for information; and
- c remits the Executive Director of City Development to publish and implement the Development Plan Scheme 2019.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising as a result of this report.

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.

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 in 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 two 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 in February 2019. Legislation requires the Council to undertake a review of its Local Development Plan on a five-yearly cycle to ensure that an up to date plan is in place at all times.

5.2 The Development Plan Scheme 2019, as contained in the appendix to this report, identifies the key dates for the review of the existing Dundee Local Development Plan 2019.

6 PLANNING REVIEW

- 6.1 In December 2017 the Scottish Government introduced the Planning (Scotland) Bill. The Bill aims to update aspects of the Scottish town planning system, by amending the legislation that governs the operation of the system.
- 6.2 The Bill is currently making its way through the parliamentary scrutiny process whereby MSPs put forward amendments to the Government's proposed Bill. Some elements of the amended Bill are relevant to the local development plan process and may require the development plan scheme to be amended to account for changes to legislative requirements.
- 6.3 These relevant elements include increasing the local development plan review cycle from 5 to 10 years and replacing the Main Issues Report stage with an "evidence report" stage. This evidence report will be submitted to Scottish Ministers who will assess whether the report contains sufficient information to enable the planning authority to prepare a local development plan.
- 6.4 The process to finalise the Bill and prepare the necessary legislation is likely to conclude in 2019/2020. The development plan scheme and the Council's approach towards reviewing the Local Development Plan will be updated to account for any changes arising from this review of the planning system.

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 All members of the Council Management Team have been consulted and are in agreement with the contents of this report.

9 BACKGROUND PAPERS

- 9.1 None.

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18 February 2019

APPENDIX 1

Dundee Local Development Plan Scheme 2019

This Development Plan Scheme 2019 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 preparation of Strategic Development Plans covering the four main city regions of Scotland and preparation of 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 October 2017 and along with the Dundee Local Development Plan 2019 form the statutory Development Plan for the Dundee City Council Area.

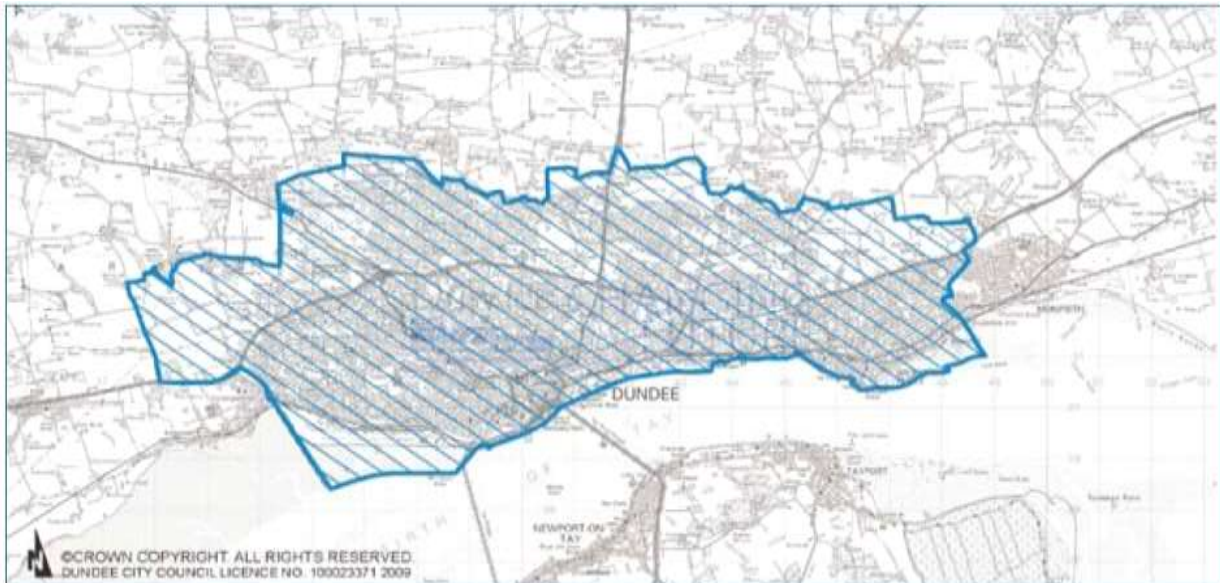
Supplementary Guidance on a specific planning topic may be prepared and when adopted forms part of the Development Plan. The adopted Dundee Local Development Plan 2019 identified Supplementary Guidance to be prepared in relation to:

- Air Quality and Land Use Planning
- Householder Development
- Developer Contributions,
- Low and Zero Carbon Technology in New Development

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

The Dundee Local Development Plan 2019 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 currently a requirement that all plans be replaced within five 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](#).

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 is undertaken in consultation with Scottish Natural Heritage and the outcomes published alongside any 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 Development Plan Scheme in 2015, Dundee City Council completed these steps and adopted the current Dundee Local Development Plan in January 2019.

The Local Development Plan is currently required to 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; and
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.

The timescale may vary dependant on the outcome of the planning review.

Stage	Plan Preparation Process		Estimated Timetable
	Local Development Plan	Strategic Assessment Environmental	
	Publication of Development Plan Scheme including participation statement		March 2019
Evidence Gathering	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	During 2020
Main Issues Report	Publish Monitoring Statement and Main Issues Report	Publish Environmental Report	December 2020
	Consultation Period	Consultation Period	To February 2021
Proposed Plan	Consider consultation responses and prepare Proposed Plan and Action Programme	Consider consultation responses Environmentally appraise Proposed Plan Undertake Appropriate Assessment Amend Environmental Report	During 2021
	Publish Proposed Plan and Proposed Action Programme	Publish Revised Environmental Report Prepare HRA Record – Appropriate Assessment	Mid 2022
	Period for consultation and submission of representations. Notify neighbours.	Consult on Environmental Report	Late 2022
Submission to Ministers	Consider representations. Prepare response and Report of Conformity with Participation Statement.	Consider responses	Late 2022
	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	Early 2023
Examination	Examination of Proposed Plan		During 2023
Consider Recommendations	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	Late 2023
	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	Late 2023

Stage	Plan Preparation Process			Estimated Timetable
	Local Development Plan	Strategic Assessment	Environmental	
Adoption	Planning Authority adopts plan	Publish post-adoption statement.	SEA	Early 2024
Publish Action Programme	Publish Action Programme			Early 2024

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 and Neighbourhood Representative Structures)
- Voluntary and environmental organisations
- Local Community Planning Partnerships (LCPP)
- 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 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 and you can unsubscribe at any time.

General information and associated documents will be available through the webpages at 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), via the website 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 at www.dundee.gov.uk/localdevplan (Local Development Plan 2019).

Contact

The main point of contact for correspondence should be:

by e-mail:

localdevplan@dundee.gov.uk

by Post:

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Planning Team
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