

**REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE
25 AUGUST 2003**

**REPORT ON: FINALISED DUNDEE LOCAL PLAN REVIEW – OBJECTIONS AND
PUBLIC LOCAL INQUIRY**

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 527-2003

1 PURPOSE OF REPORT

- 1.1 To advise the Committee on the formal objections received to the Finalised Dundee Local Plan Review, the proposed courses of action in relation to modifications which may allow for some of these to be withdrawn and seek to the Committee's approval for the necessary arrangement for a Public Local Inquiry into those which are not.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee:
- a remits the Director of Planning and Transportation to negotiate with those objectors that may withdraw objections subject to Local Plan modification;
 - b remits the Director of Planning and Transportation to report back to Committee regarding the details of any proposed modifications to the Plan as a result of these negotiations;
 - c notes that objections submitted to the Finalised Local Plan and not withdrawn will require to be considered at a Public Local Inquiry convened by the City Council; and
 - d agrees that the Director of Planning and Transportation makes the appropriate arrangements for a Public Local Inquiry to consider such objections.

3 FINANCIAL IMPLICATIONS

- 3.1 Provision is made within the Planning and Transportation Department's 2003/2004 Revenue Budget under the Development Plan heading for the financial implications directly associated with future stages in the Local Plan preparation process, including any Public Local Inquiry to consider objections.

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 Finalised Dundee Local Plan Review was approved at the meeting of the Planning and Transportation Committee on 27 January 2003 (Report 48/2003). This report remitted the Director of Planning and Transportation to publish the Finalised Dundee Local Plan Review and invite formal objections.
- 6.2 The Finalised Local Plan Review 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, the Council now regards the Finalised Local Plan as a material consideration in the making of planning decisions, including the determination of planning applications.
- 6.3 The statutory period for receipt of formal objections to the plan ended on 16 May 2003. As a result of this process some 170 objections were received from 157 different objectors to various aspects of the Plan. A document summarising these objections has been placed in the Members' lounges.
- 6.4 Detailed discussions regarding these have already taken place with many of the objectors where it is felt that there may be an acceptable compromise to both parties that would allow the objection to be withdrawn. Further negotiations are still ongoing in some cases and any further changes proposed as a result of these will be reported to a future Committee meeting.
- 6.5 Nevertheless, it is clear that there will still be a substantial number of unresolvable objections that will require to be heard at Public Local Inquiry. In anticipation of this, discussions have been held with the Scottish Executive Inquiry Reporter's Unit (SEIRU) in order to establish the availability of a Reporter in line with the Council's timetable for progressing this matter which would be either the end of 2003 or the beginning of 2004.

7 CONCLUSION

- 7.1 The Finalised Local Plan is now at a critical stage in its process towards adoption. Negotiations in relation to objections and the organisation of a Public Local Inquiry are extremely important in the achievement of an adopted Plan. Any proposed changes to the Finalised Plan prior to the Inquiry will be reported in detail to a future meeting of the Committee.

8 CONSULTATIONS

- 8.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance), and Assistant Chief Executive (Community 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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