

**ITEM No ...5.....**

**REPORT TO:** CITY DEVELOPMENT COMMITTEE – 21 AUGUST 2017

**REPORT ON:** PROPOSED LOCAL DEVELOPMENT PLAN 2 AND REVISED ENVIRONMENTAL REPORT

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

**REPORT NO:** 215-2017

**1 PURPOSE OF REPORT**

- 1.1 This report seeks approval of the Proposed Dundee Local Development Plan 2 and its supporting documents and agreement to the publication of the Proposed Dundee Local Development Plan 2, the Environmental Report and Draft Supplementary Guidance for a period of public engagement.
- 1.2 The Proposed Dundee Local Development Plan 2, the Environmental Report, Draft Supplementary Guidance and all associated documents have been published on the Council website. Copies of the Proposed Dundee Local Development Plan 2 have been circulated to the Lord Provost and all Group Leaders. All documents can be access via [www.dundee.gov.uk/localdevplan2](http://www.dundee.gov.uk/localdevplan2)

**2 RECOMMENDATION**

- 2.1 It is recommended that the Committee:
- a Approves the Proposed Dundee Local Development Plan 2 and agrees to a 6 week period for representations.
  - b approves the contents of the Environmental Report and agrees to a 6 week period for representations;
  - c approves the contents of the Draft Supplementary Guidance on Air Quality, Developer Contributions and Householder Development; the Strategic Environmental Assessment pre-screening assessment of each item of Supplementary Guidance; and agrees to a 6 week period for representations;
  - d approves the Proposed Action Programme prepared in support of the Proposed Dundee Local Development Plan 2;
  - e approves the Draft Habitats Regulations Appraisal Record prepared in support of the Proposed Dundee Local Development Plan 2;
  - f notes the contents of the Development Site Assessments Document, the Housing Background Paper, the Transport Background Paper and the Main Issues Report Consultation Responses prepared in support of the Proposed Dundee Local Development Plan 2;
  - g remits the Executive Director of City Development to report the outcome of the representations period back to Committee; and
  - h refers the Proposed Dundee Local Development Plan 2 to the Development Management Committee as a relevant material planning consideration.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 The financial implications arising from this report are printing costs, postal costs, newspaper advertising and staff costs. These are contained within the City Development Department budget.

### **4 BACKGROUND**

- 4.1 The Dundee Local Development Plan is the spatial representation of various Council plans and strategies. The Plan sets out policies and proposals to support and encourage positive change in Dundee. It details where new development should and should not take place. It sets out the preferred locations for new homes and businesses to help the city grow; describes how any new or improved facilities, such as schools and green infrastructure will be provided; supports our City Centre and District Centres; and protects places of value to people or wildlife.

- 4.2 Since adoption of the current plan in 2014 planning permission has been granted for 2,192 new homes (to December 2016). The completion of new homes is also increasing from a low of 147 completions in 2013/14 to around 450 homes being completed over the last 12 months.

- 4.3 Planning permission was also granted for important developments including the development of over 600 hotel bedrooms across the city; extensions to the Michelin and Tokheim factories; the regeneration of the former Valentines factory site with a car supermarket; and the development of a new secondary school and 4 new primary school campuses.

- 4.4 There is a requirement to revise and update the Plan every five years and work has been ongoing since the adoption of the current Plan to monitor the longer term outcomes of that Plan and to prepare the next Plan. Details of the plan preparation process and its progress is contained within the Development Plan Scheme which is published annually in the spring. Key stages in this process are the publication of the Main Issues Report, the publication of the Proposed Local Development Plan and the submission of the Proposed Plan to Scottish Ministers for examination.

#### **4.5 Main Issues Report Consultation**

- a To inform the Proposed Dundee Local Development Plan 2, a Main Issues Report was produced (Report No 433-2015 – Article III of the City Development Committee of 7 December 2015 refers) and a 7 week consultation undertaken. To more effectively integrate the Local Development Plan with the Community Plan, Officers worked with Communities Officers to analyse the Local Community Plans and extract the land use elements. Officers also hosted workshops with harder to reach groups such as young people, the elderly and minority ethnic groups, using the Place Standard Tool as a basis for the engagement. During the consultation Officers directly engaged with over 300 people, receiving 60 written responses to the consultation and 90 Place Standard assessments.
- b The comments received were then considered and assisted in informing the content of the Proposed Dundee Local Development Plan 2. A summary of the issues raised during the Main Issues Report Consultation is contained within the Main Issues Consultation Response Summary. In addition, a full range of key public agencies have been involved as partners in the preparation of the Plan including; Transport Scotland, Scottish Water, Scottish Environment Protection Agency, Scottish Natural Heritage, Historic Environment Scotland, Tactran and NHS Tayside as well as all the Council's strategic service areas, the TAYplan Strategic Development Planning Authority and Neighbouring Councils.

#### 4.6 **Proposed Dundee Local Development Plan 2**

- a The Main Issues Report Consultation in 2016 was the primary opportunity for everyone to voice their opinion and have their say on what should be included in the Proposed Dundee Local Development Plan 2. Once approved by the City Development Committee the Proposed Plan is not a Draft Plan but rather the settled view of Dundee City Council as the Planning Authority as to what the final adopted content of the plan should be. The Proposed Plan must be consistent with the Strategic Development Plan (TAYplan) and take account of a range of documents produced by the Scottish Government and others.
- b A 6 week period for submission of representations will commence following approval and publication of the Proposed Local Development Plan 2. This differs from the earlier consultations in that representations are expected to concentrate on the content of the Proposed Plan and are not expected to raise significant new issues.
- c Officers will collate the representations received in respect of the Proposed Dundee Local Development Plan 2 and report this back to Committee seeking approval to submit the Plan and associated documents to Scottish Ministers for examination.
- d Approval of the Proposed Dundee Local Development Plan 2 will establish it as a material planning consideration for Development Management purposes.

#### 4.7 **Proposed Action Programme**

The Proposed Action Programme sets out how the Proposed Plan is to be implemented. It includes: a list of actions required to deliver each of the plans, policies or proposals; the names of those who will carry out the actions required; and an indicative timescale for each action. This includes actions by persons and organisations outwith Dundee City Council. The Proposed Action Programme will be submitted alongside the Proposed Dundee Local Development Plan 2 to Scottish Ministers.

#### 4.9 **Environmental Report**

Strategic Environmental Assessment (SEA) is a requirement under the Environmental Assessment (Scotland) Act 2005. The purpose of an Environmental Report is to identify, describe and evaluate the likely significant effects on the environment of implementing the Dundee Local Development Plan 2 and, if necessary, identify ways to mitigate those effects. The Environmental Report is prepared in parallel to the key stages of the Local Development Plan. A Draft Environmental Report was prepared to accompany the Main Issues Report and was consulted upon in 2016. This has since been revised to take account of responses to that consultation and in doing so has informed and directed the preparation of the Proposed Dundee Local Development Plan 2.

The Environmental Report will be published alongside the Proposed Dundee Local Development Plan 2, submitted to the SEA Gateway and made available for a 6 week period for representations to be made.

#### 4.10 **Draft Habitats Regulation Appraisal**

The Draft Habitats Regulation Appraisal is mandatory under the Conservation (Natural Habitats & c.) Regulations 1994 (as amended in Scotland). 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. A Draft Habitats Regulations Assessment (HRA) Record for the Proposed Dundee Local Development Plan 2 has been prepared in

consultation with Scottish Natural Heritage. The completed HRA Record will be submitted to Ministers alongside the Proposed Dundee Local Development Plan 2.

#### 4.11 **Supplementary Guidance**

Items of Supplementary Guidance are planning policy documents that provide further information or detail in respect of policies or proposals set out in the Local Development Plan. The Dundee Local Development Plan 2014 was supported by 3 items of Supplementary Guidance covering Air Quality; Developer Contributions; and Householder Development. Their status falls on adoption of the new Plan and it is therefore necessary to consult on and readopt each item in the context of the new Plan. All the Supplementary Guidance has been reviewed and updated. It is intended that these items are carried forward to support the Dundee Local Development Plan 2. They will be consulted on at the same time as the consultation on the Proposed Dundee Local Development Plan 2.

Under the Environmental Assessment (Scotland) Act, 2005, those bodies preparing qualifying plans are required to undertake a Strategic Environmental Assessment of plans that are likely to have significant environmental effects, if implemented. Where it can be clearly established that a plan is likely to have no or minimal environmental effects on the environment the body preparing the plan is required to undertake 'pre-screening' against the criteria set out in Schedule 2 of the above Act. In this case it is considered that the three items of Supplementary Guidance will have no or minimal environmental effects and pre-screening has been undertaken for each item to confirm this.

The pre-screening records will be published alongside the Draft Supplementary Guidance and submitted to the SEA Gateway.

#### 4.12 **Associated Documents**

##### a Development Site Assessments Document

The Development Site Assessments document sets out the detailed assessment that has been undertaken for each site that has been considered as part of the preparation of the Proposed Dundee Local Development Plan 2. This has been done in conjunction with and informed the preparation of the Environmental Report and the Habitats Regulation Appraisal Record. The Key Agencies have partnered with the Council in the consideration of all of the sites.

##### b Housing Background Paper

This paper provides further context to the housing strategy of the Proposed Dundee Local Development Plan 2. In doing so it shows how the housing land requirement is calculated and the additional housing land required to be identified in the Dundee Local Development Plan 2. It confirms that the City must plan for the delivery of 4,800 new homes over the plan period (2019-2029). Taking into account the established land supply (including the carry forward of some of the LDP 2014's housing site allocations), windfall sites and small sites, there is a need to allocate land for an additional 334 houses.

##### c Transport Background Paper

This paper identifies the transportation impacts resulting from the development proposals contained in the Proposed Dundee Local Development Plan 2 including the housing and employment land strategies, Dundee Waterfront, and the potential relocation of Invergowrie rail station. In doing so it identified development attributes and mitigation measures which would address those impacts. Aside from the approved upgrade to the A85/A90 Swallow Roundabout no other significant mitigation measures have been identified.

d Business Land Audit 2017

To ensure the city's economy can quickly respond to meet the needs and opportunities of indigenous firms and inward investors, it must have a range of sites readily available to meet a wide range of business needs and demands. To monitor the supply of business land and help inform spatial planning decisions and the Council's economic strategy an audit of business land is undertaken annually. The purpose of this audit is to understand the quantity, type, size and location of vacant land for business use (use classes 4, 5 and 6) in Dundee. This is based on an annual survey of all land within the Economic Development Areas designated within the Dundee Local Development Plan. Until the 2017 audit there had been low take up of between 1-2 hectares per annum over the previous 5 years. The 2017 audit revealed a significant take up of 22.13 hectares, or 14% of the 159.18 hectares of marketable supply. This was due to the expansion of the Michelin and Tokheim manufacturing plants and increased activity within the Port of Dundee. The supply of marketable business land has now reduced to 136.38 hectares. The majority of sites are below 2 hectares in size and there are only 2 sites over 20 hectares in size.

d Representations on the Proposed Dundee Local Development Plan 2

Subject to Committee's approval of the documents, a 6 week period for representations will commence on 28 August and it is intended that this will conclude on 9 October 2017. Representations will be sought on the Proposed Dundee Local Development Plan 2, the Environmental Report and the Supplementary Guidance. Copies of all documents will be made available on the Council website and at Dundee House. Copies of the Proposed Dundee Local Development Plan 2 and Environmental Report will be circulated to all public libraries in accordance with statutory requirements. A standard downloadable form will be used for all representations.

To publicise the period for representations a number of actions will be undertaken, including:

- i letters which will be sent to owners, lessees or occupiers of all proposed development sites, and owners, lessees or occupiers of land neighbouring proposed development sites;
- ii notifying Community Councils and Neighbourhood Representative Structures;
- iii notifying Local Community Planning Partnerships;
- iv notifying all persons who submitted comments on the Main Issues Report;
- v all persons who have chosen to register for the Local Development Plan mailing list will receive an e-mail notifying them of the period for representations;
- vi copies of the Proposed Dundee Local Development Plan 2 and Environmental Report will be made available via Local Libraries and at Dundee House; and
- vii a statutory notice will be published in the local press.

At the conclusion of the period for representations Officers will collate the representations and report back to Committee seeking approval to submit the Plan and associated documents to Scottish Ministers for examination.

**5 POLICY IMPLICATIONS**

- 5.1 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.

**6 CONSULTATIONS**

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

**7 BACKGROUND PAPERS**

- 7.1 The following documents have been produced and taken into account when producing the Proposed Dundee Local Development Plan 2

- Development Sites Assessment Document
- Housing Background Paper
- Transport Background Paper
- Strategic Flood Risk Assessment
- Business Land Audit 2017
- Dundee Housing Land Audit 2016
- Dundee Retail Study 2016
- Main Issues Report Consultation Summary
- Main Issues Report Consultation Schedule of Responses
- Development Plan Scheme.

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21 August 2017

Dundee City Council  
Dundee House  
Dundee