

REPORT TO: CITY DEVELOPMENT COMMITTEE – 31 OCTOBER 2022

REPORT ON: DUNDEE DEVELOPMENT PLAN SCHEME 2022

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 268-2022

1 PURPOSE OF REPORT

1.1 The report sets out the 2022 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 2022 as set out in Appendix 1, and
- b remits the Head of Planning and Development to publish and implement the Development Plan Scheme 2022, and to issue it to Scottish Government for information.

3 FINANCIAL IMPLICATIONS

3.1 None.

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. The Development Plan Scheme is required to set out the Authority's programme for preparing and reviewing its Local Development Plan and seeks to provide a general indication of what is involved at each stage, together with dates for key stages in the process.

4.2 The Development Plan Scheme must also include a "participation statement" stating the expected arrangements for consultation on the Plan preparation. After adopting the Development Plan Scheme, the Act requires the Authority to publish it, send two copies to Scottish Ministers and make copies available in public libraries.

4.3 The current Dundee Local Development Plan was adopted in February 2019. Legislation requires the Council to undertake a review of its Local Development Plan regularly to ensure that an up to date plan is in place at all times.

4.4 The Development Plan Scheme 2022, as contained in the appendix to this report, identifies the currently expected dates for the review of the existing Dundee Local Development Plan 2019.

4.5 The Planning (Scotland) Act 2019 significantly altered the method for preparing Local Development Plans. New regulations and guidance on the preparation process from the Scottish Government is required prior to a detailed programme for plan preparation being made available. It is anticipated that the Scottish Government will publish these in early 2023. Additionally, the Local Development Plan is required to comply with the requirements of the National Planning Framework. A new National Planning Framework (NPF4) is expected to be published by the Scottish Government in late 2022. As a consequence, the Development Plan Scheme 2022 is based on our understanding of the legislation and there will need to be a revision of the timescale and process it outlines when the Scottish Government publishes the necessary information on the new arrangements.

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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23 September 2022

APPENDIX 1

Dundee Local Development Plan Scheme 2022

This Development Plan Scheme 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 expected timescales for 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. Subsequently the Planning (Scotland) Act 2019 altered the method for preparing Development Plans.

The TAYplan Strategic Development Plan was approved in October 2017 and along with the Dundee Local Development Plan 2019 and its associated supplementary planning guidance form the statutory Development Plan for the Dundee City Council Area. These were both prepared and adopted under the terms of the Planning etc. (Scotland) Act 2006. Future Local Development Plans will be prepared in compliance with the requirements of the Planning (Scotland) Act 2019.

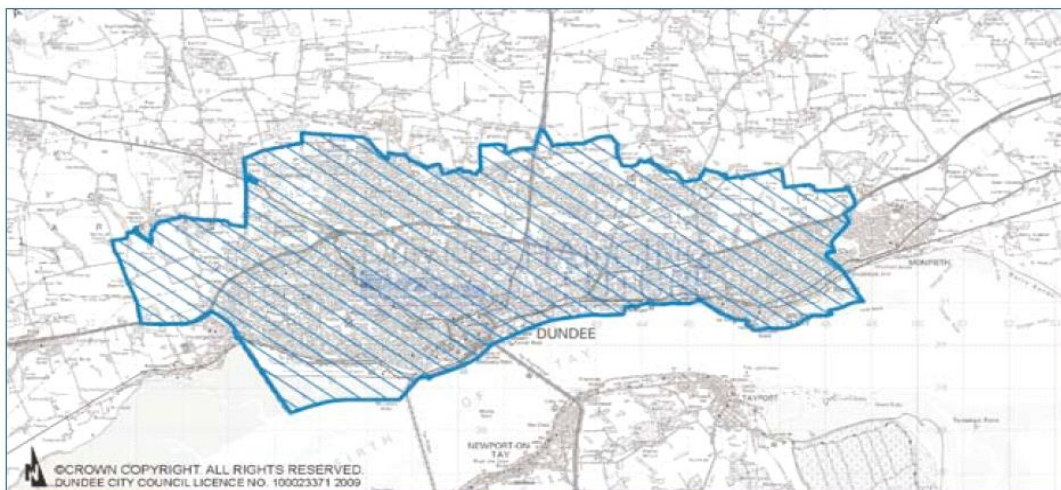
The preparation of the current Strategic Development Plan for this area was undertaken by the TAYplan Strategic Development Planning Authority (SDPA), whilst Dundee City Council undertakes the preparation of the Dundee Local Development Plan.

Under the Planning (Scotland) Act 2019 Strategic Development Plans will no longer be produced but groupings of authorities will instead identify the need and proposed locations for strategic development through the preparation of Regional Spatial Strategies. The process for the preparation of Local Development Plans will change and will require to be replaced every 10 years rather than the current 5 year period. In addition, local communities will have the opportunity to prepare Local Place Plans to set out development or use of land in particular areas. Local Place Plans will not form part of the LDP, however, they must be taken into account when an LDP is prepared.

This Development Plan Scheme refers only to the Dundee Local Development Plan.

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.

Dundee Local Development Plan Area



Preparation of a new Local Development Plan

The implementation and implications of the Planning (Scotland) Act 2019 will affect the preparation of a new Local Development Plan. The most recent advice from Scottish Government is that the new regulations and guidance relating to the preparation of Local Development Plans will be published in 2022. It is intended to undertake preparatory work prior to the publication of those regulations with a view to position Dundee City Council with a view to preparing and adopting a new Local Development Plan no later than 2027.

This Development Plan Scheme is based on our understanding of the requirements of the Act, it is likely that this will require revision following the publication of the Scottish Government documents and this will be conveyed in future Development Plan Schemes and on the website.

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: (Current Plan) and www.dundee.gov.uk/localdevplan2 (Review)

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.

Until such time as confirmed dates are published by the Scottish Government for the publication of the Local Development Plan regulations and guidance, as well as the publication of the National Planning Framework it is not possible to provide a detailed timetable.

Until such time as the Scottish Government publishes the guidance, Dundee City Council will concentrate on the gathering of evidence to support the preparation of a Local Development Plan.

Any alteration to timescales will be communicated via the annual Development Plan Scheme, the email notification list and via the website at www.dundee.gov.uk/localdevplan2

Plan Preparation Stage	Expected Date*
Preparation Of Evidence Report (including call For sites)	2022-2024
Invitation to prepare Local Place Plans	Summer 2023
Publication of draft evidence report and submission to Scottish Ministers	Summer 2024
Prepare Proposed Plan	2024-2025
Seek representations on Proposed Plan	2026
Publish Proposed Plan, evidence report and delivery programme, / Submit to Scottish Ministers	2026
Examination Of Proposed Plan	2027
Adoption of Local Development Plan	2027

*dates are based on an assumption that the Scottish Government will produce guidance and regulations pertaining to Local Development Plans and publish the National Planning Framework 4 by the end of 2022.

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 e.g. 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; and
- 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);
- Voluntary and environmental organisations;
- Local Community Planning Partnerships (LCPP); and
- General members of the community, including younger citizens.

Email Mailing List:

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 by email.

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 City Development Department. You can unsubscribe at any time.

General information and associated documents will be available through the webpages at www.dundeecity.gov.uk/localdevplan2.

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) or 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 cannot be treated as 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 (Adopted Local Development Plan); and

www.dundee.gov.uk/localdevplan2 (Local Development Plan Review)

Contact

The main point of contact for correspondence should be:

By email: localdevplan@dundee.gov.uk

By Post:

Local Development Plan
Planning Team
City Development Department
Dundee City Council
Dundee House
50 North Lindsay Street
Dundee
DD1 1LS

Strategic Environmental Assessment

The Environmental Assessment (Scotland) Act 2005 makes Strategic Environmental Assessment (SEA) 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.

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.