

ITEM No ...5.....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 10 DECEMBER 2018
REPORT ON: ADOPTION OF DUNDEE LOCAL DEVELOPMENT PLAN 2
REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT
REPORT NO: 371-2018

1 PURPOSE OF REPORT

- 1.1 This report presents the Examination Report on the Proposed Dundee Local Development Plan 2, the modifications recommended in the Examination Report; the Proposed Local Development Plan 2, as modified for adoption and the updated Environmental Report and Habitats Regulation Appraisal Record which take into account the modifications made to the Proposed Dundee Local Development Plan 2.
- 1.2 The modifications recommended in the Examination Report are set out in Appendix 1. The Proposed Dundee Local Development Plan 2, as modified for adoption and all other associated documents have been circulated to the Lord Provost and all group Leaders. All documents can be accessed via www.dundee.gov.uk/localdevplan2.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a note the contents of the Examination Report on the Proposed Dundee Local Development Plan 2;
 - b approve the modifications recommended in the Examination Report to the Proposed Dundee Local Development Plan 2, as set out in Appendix 1;
 - c adopts the updated Environmental Report and Habitats Regulation Appraisal record;
 - d remits the Executive Director of City Development to notify the Scottish Ministers of the Council's intention to adopt the Proposed Dundee Local Development Plan 2 as modified;
 - e remits the Executive Director of City Development to complete the statutory pre-adoption procedures as set out in Appendix 2; and agree to the adoption of the Proposed Dundee Local Development Plan 2 following completion of these procedures
 - f approves the updated Action Programme and agree to its publication on the adoption of the Dundee Local Development Plan 2.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4 BACKGROUND

- 4.1 The Proposed Dundee Local Development Plan 2 is the spatial representation of the various Council plans and strategies. The Plan sets out the strategy to guide future land use and development within the city for a period of 5 years from 2019-2024 and provides a broad indication up to 2029. The Plan contains policies and proposals to support and encourage positive change in Dundee and sets out where new development should or should not happen. When adopted the Dundee Local Development Plan 2 will replace the Dundee Local Development Plan 2014.

- 4.2 The City Development Committee approved the Proposed Dundee Local Development Plan 2 at its meeting on 21 August 2017 (Article V, Report 215-2017 refers) and agreed to a 6 week period for representations. Following on from this the representations received were fully considered and those representations that remained unresolved were reported to the City Development Committee along with the Proposed Local Development Plan 2. The City Development Committee at its meeting on 22 January 2018 (Article II, Report 7-2018 refers) agreed that the Proposed Plan along with the unresolved representations be submitted to Scottish Ministers for examination.

5 EXAMINATION REPORT

- 5.1 The Examination commenced on 22 March 2018 and reviewed all of the unresolved representations made on the Proposed Dundee Local Development Plan 2. The Examination was undertaken by three independent persons (referred to as Reporters) appointed by Scottish Ministers with the administration of the examination process undertaken by the Scottish Government's Planning and Environmental Appeals Division (DPEA).

Reporters' Conclusions and Recommendations

- 5.2 The Reporters have now completed their examination of the Proposed Plan against the unresolved representations and the Council's submissions (as agreed at the Council meeting on 22 January 2018), and have outlined the modifications to be made to the Proposed Plan. Appendix 1 sets out in detail all of the modifications proposed by the Reporters.
- 5.3 The Reporters in their examination of the Proposed Plan considered issues arising from over 200 unresolved representations from 80 contributors. The examination process included a series of unaccompanied site visits. The Reporters sought further information on 6 matters. There was no requirement to hold any hearings or formal inquiry sessions into any of the unresolved representations. Having taken into account all the information submitted to them they have set out their conclusions and recommendations in relation to each of the issues in their Examination Report of 9 October 2018. Dundee City Council has 3 months from this date of publication in which to consider the recommendations and to decide how to proceed.

Modifications

- 5.4 Having considered the unresolved representations, the Reporters recommended making 36 modifications to the Proposed Plan. The majority of these modifications are minor wording changes to the text of the Proposed Plan. No changes are proposed to the Strategy of the Proposed Plan and the majority of the policies remain as approved by the City Development Committee. These minor wording changes are considered to be acceptable modifications to the Proposed Plan.
- 5.5 The more significant modifications contained within the Examination Report are set out below:
- a the removal of the CWP Ltd and proposed Aldi sites at Myrekirk Road from the designated Principal Economic Development Area at Wester Gourdie Industrial Estate;
 - b the removal of the Stewart's Cream of the Barley site from the designated General Economic Development Area at Mid Craigie Trading Estate;
 - c the replacement of the table in Appendix 2: Supply of Housing Land with an alternative table containing a new total for the additional housing land required to be identified in the Proposed Plan;
 - d the deletion of the final paragraph of Policy 15: Student Accommodation and the third and final paragraph of Policy 16: Houses in Multiple Occupation both of which outlined the Council's approach to restricting the occupancy of purpose built student accommodation and mainstream residential developments in close proximity to higher education institutions;

- e the insertion of text requiring the Council to issue planning guidance on the required content of the statement required by Policy 46: Delivery of Heat Networks to demonstrate that consideration has been given to creation of, or link to, a heat network; and
 - f the insertion of text requiring the Council to issue supplementary guidance in respect of the carbon emissions reduction standard required by Policy 48: Low and Zero Carbon Technology in New Development.
- 5.6 The recommendations contained in Examination Reports are largely binding on planning authorities. Planning authorities may depart from the recommendations only in specific defined circumstances. These are set out in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009 and in the Town and Country Planning (Scotland) Act 1997. The circumstances where authorities may depart from recommendations are where the recommendations:
- i would have the effect of making the Local Development Plan inconsistent with the National Planning Framework, or with any Strategic Development Plan or national park plan for the same area;
 - ii are incompatible with Part IVA of the Conservation (Natural Habitats etc) Regulations 1994; or
 - iii are based on conclusions that could not reasonably have been reached based on the evidence considered at the examination.
- 5.7 Criterion iii) addresses the possibility of clear errors (including factual errors) having been made by the Reporter. It does not relate to circumstances where the planning authority disagrees with the planning judgement reached by the Reporter.
- 5.8 The modifications in relation to a) and b) will result in 4.58 hectares of land being removed from the business land supply. The sites have not been allocated for any other use and will be shown as “white land” on the Proposals Map. Although the business land supply will be reduced as a result, the scale of these modifications is such that it does not impact on the spatial strategy of the Proposed Plan. Any subsequent planning applications for the future development of these sites will be considered against the relevant policies of the local development plan that is adopted at the time the application is determined.
- 5.9 The modifications in relation to c) result in the Proposed Plan being required to allocate land to accommodate 814 housing units over and above the established land supply, windfall sites and small sites contributions. The Proposed Plan already allocated a generous level of housing land capable of delivering 970 housing units. Therefore this modification does not impact on the spatial strategy of the Proposed Plan.
- 5.10 The modifications in relation to d) require the deletion of text from Policies 15 and 16 which state the Council’s approach to restricting the occupancy of purpose built student accommodation and mainstream residential developments within the Central Waterfront and in close proximity to higher education institutions. The Council’s approach is to use planning obligations (legal agreements) or planning conditions to restrict occupancy of purpose built student accommodation to students only, and in the case of the mainstream residential accommodation to prevent occupancy by 3 or more unrelated people. This modification does not prevent the Council from restricting the occupancy of these types of development.
- 5.11 The modifications in relation to e) and f) require the Council to prepare guidance that will help developers to satisfy the requirements of two policies and will be helpful additions to the Council’s suite of planning documents.
- 5.12 An assessment of the modifications against criteria i), ii) and iii) of the Regulations and Act has been made and it is considered that all modifications are required to be made and that the Council should proceed to adopt the Proposed Plan as modified.

Environmental Report and Habitat Regulations Appraisal

- 5.13 A Strategic Environmental Assessment was undertaken to help shape and influence the content of the Proposed Local Development Plan 2. An Environmental Report was prepared as part of this assessment and this has been updated at key stages in the plan preparation. Where the assessment identified significant adverse environmental effects (following consultation with Scottish Natural Heritage, Scottish Environment Protection Agency, Historic Environment Scotland and the public) this led to amending the Proposed Plan or incorporating mitigation measures to minimise identified impacts.
- 5.14 Having considered the Reporters' modifications and updated the Environmental Report it is considered that no modifications are likely to have significant effects on the environment when considering the overall effects of the Proposed Plan. Following adoption of the Local Development Plan 2 the Environmental Report will be finalised and a post adoption Strategic Environmental Assessment statement will be published setting out how the findings in the Environmental Assessment were taken into account during the preparation of the Proposed Plan.
- 5.15 The Draft Habitats Regulations Appraisal (HRA) Record was approved by the City Development Committee along with the Proposed Plan. The Reporters' modifications to the Proposed Plan have been screened and assessed and it is concluded that these are not likely to have a significant effect on a European Site. Scottish Natural Heritage has been consulted on this assessment and is in agreement with the conclusion reached.

Adoption of the Proposed Dundee Local Development Plan 2

- 5.16 In order to formally adopt the Proposed Plan, the regulations require the Council to undertake a further series of procedures and notifications. These include publishing a press advert, notifying people who made representations and sending the Proposed Plan as modified to Scottish Ministers. After 28 days the Proposed Plan can be adopted unless directed not to by Scottish Ministers. The full process is set out in Appendix 2. Subsequent to adoption there is a 6 week period in which a legal challenge can be made to the Plan.

Action Programme

- 5.17 There is a requirement to publish an Action Programme within three months of the Proposed Plan being constituted and adopted. The Action Programme sets out how the proposals and policies contained in the Dundee Local Development Plan 2 will be monitored and delivered and includes timescales for the delivery of key infrastructure. This has already been drafted and was approved by City Development Committee on 21 August 2017. The Action Programme has been updated and will be published within the required three month period. It will be reviewed regularly to support the implementation of the policies and proposals in the local development plan.

6 POLICY IMPLICATIONS

- 6.1 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.

7 CONSULTATIONS

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

8 BACKGROUND PAPERS

- 8.1 The following documents have been produced and taken into account when producing the Proposed Dundee Local Development Plan 2 (as modified).
- 8.2 Environmental Report.
- 8.3 Finalised Habitats Regulations Appraisal Record.

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Robin Presswood
Executive Director of City Development

GH/AH/KM

29 November 2018

Dundee City Council
Dundee House
Dundee

APPENDIX 1 - PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN EXAMINATION REPORT

REPORT TO DUNDEE CITY COUNCIL – 9 OCTOBER 2018

RECOMMENDATIONS BY ISSUE NUMBER

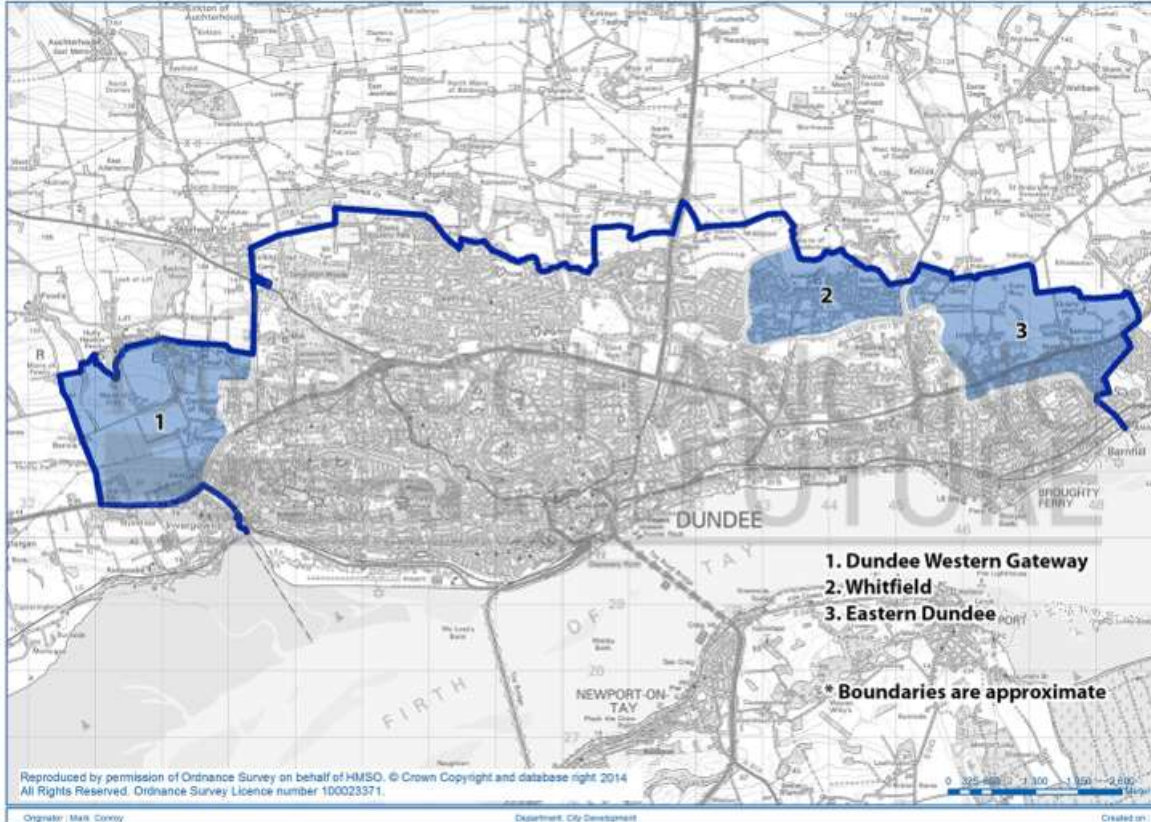
ISSUE	REPORTER'S RECOMMENDATION	REPORT PAGE NO
01 - City of Design	No modifications.	10
02 - Sustainable Economic Growth	<p>The local development plan proposals map should be modified by:</p> <ol style="list-style-type: none"> 1 removing the CWP Dundee Ltd and Aldi sites at Myrekirk Road from the designated Principal Economic Development Area at Wester Gourdie Industrial Estate; and 2 removing the Stewart's Cream of the Barley site from the designated General Economic Development Area at Mid Craigie Trading Estate. 	46
03 - Housing Strategy (Chapter 6)	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 inserting the following additional text after paragraph 6.6 and renumbering the subsequent paragraphs accordingly: <p>“In accordance with the TAYplan Strategic Development Plan the Local Development Plan has set the delivery of the housing supply target for Dundee City at a ratio of 25% affordable homes to 75% market homes. The Local Development Plan will help to meet the Local Housing Strategy outcomes through improvements to the quality, affordability and choice of housing across tenures and markets. This will be realised through the allocation within the Local Development Plan of a range of housing sites across the City which will support the delivery of a variety of affordable housing types and tenures. Furthermore, the Local Development Plan strategy will support the delivery of affordable housing within the City through enabling the continued partnership working with the Scottish Government, affordable housing providers and developers and by guiding the managed release of surplus Council owned land through the Council's programme of land disposal.”</p>	63

ISSUE	REPORTER'S RECOMMENDATION	REPORT PAGE NO																																	
04 - Supply of Housing Land – Appendix 2	<p>The local development plan should be modified by:</p> <p>1 replacing the table at Appendix 2: Supply of Housing Land with that below:</p> <table data-bbox="808 491 1868 1331"> <tbody> <tr> <td>a</td> <td>Strategic Housing Supply Target (2016-2029) based on an average of 480 pa (TAYplan 2017)</td> <td>6,240</td> </tr> <tr> <td>b</td> <td>Generosity Margin (10%) (TAYplan 2017)</td> <td>624</td> </tr> <tr> <td>c</td> <td>Housing Land Requirement (2016-2029) (= a + b)</td> <td>6,864</td> </tr> <tr> <td>d</td> <td>Actual Completions (2016/17) (2017 Housing Land Audit)</td> <td>416</td> </tr> <tr> <td>e</td> <td>Assumed completions from Effective Land Supply (2017-2019) (2017 Housing Land Audit)</td> <td>960</td> </tr> <tr> <td>f</td> <td>Assumed completions windfall sites (assume 72 pa) and small sites (assume 20 pa) (2017-2019)</td> <td>184</td> </tr> <tr> <td>g</td> <td>Equals Housing Land Requirement for LDP period (2019-2029)(= c – d – e – f)</td> <td>5,304</td> </tr> <tr> <td>h</td> <td>Completions expected from Effective Land Supply during 2019-24 (2017 Housing Land Audit)</td> <td>2,889</td> </tr> <tr> <td>i</td> <td>Completions expected from the remainder of Established Land Supply during 2024-29 including constrained sites (2017 Housing Land Audit)</td> <td>681</td> </tr> <tr> <td>j</td> <td>Completions that may arise from windfall sites (assume 72 pa) and small sites (assume 20 pa) over LDP period (2019-2029)</td> <td>920</td> </tr> <tr> <td></td> <td>Under/Over supply against Housing Land Requirement (= h + i + j – g)</td> <td>-814</td> </tr> </tbody> </table>	a	Strategic Housing Supply Target (2016-2029) based on an average of 480 pa (TAYplan 2017)	6,240	b	Generosity Margin (10%) (TAYplan 2017)	624	c	Housing Land Requirement (2016-2029) (= a + b)	6,864	d	Actual Completions (2016/17) (2017 Housing Land Audit)	416	e	Assumed completions from Effective Land Supply (2017-2019) (2017 Housing Land Audit)	960	f	Assumed completions windfall sites (assume 72 pa) and small sites (assume 20 pa) (2017-2019)	184	g	Equals Housing Land Requirement for LDP period (2019-2029)(= c – d – e – f)	5,304	h	Completions expected from Effective Land Supply during 2019-24 (2017 Housing Land Audit)	2,889	i	Completions expected from the remainder of Established Land Supply during 2024-29 including constrained sites (2017 Housing Land Audit)	681	j	Completions that may arise from windfall sites (assume 72 pa) and small sites (assume 20 pa) over LDP period (2019-2029)	920		Under/Over supply against Housing Land Requirement (= h + i + j – g)	-814	73
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05 - Allocated Housing Sites – Policy 9/ Appendix 3	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 deleting (*Sites where SEPA has advised that a Flood Risk Assessment will be required.) from the explanatory notes of Appendix 3: Allocated Housing Sites; and 2 replaced with (*Sites where a Flood Risk Assessment is required). 	97
06 - Western Gateway Sites – H41, H42 & H43	No modifications.	109
07 - Additional Housing Sites	No modifications.	129
08 - Design of New Housing	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 deleting “N/A” against the cycle provision standard for houses outwith the city centre in Appendix 4: Design of New Housing and substituting in each case the following form of words: “One secure, covered space per house must be provided unless a suitable garage or other secure area is provided within the curtilage of the house.” 	142
09 - Development of Garden Ground for New Housing	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 amending criterion 5) of Policy 13: Development of Garden Ground for New Housing by deleting the existing form of words and substituting the following: “5) that sufficient off-street car parking is maintained/provided with the existing house in accordance with its size and the standards set out in Appendix 4; and”. 	145
10 - Non-mainstream Residential Uses	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 adding the text “gypsy/travellers and travelling showpeople” to the final sentence of paragraph 6.19. The sentence would then read: “Such uses include sheltered housing, residential and nursing homes, housing for people with special needs, gypsy/travellers and travelling showpeople, purpose built student accommodation and houses in multiple occupation.” 	152

ISSUE	REPORTER'S RECOMMENDATION	REPORT PAGE NO
	<p>2 adding a new paragraph after 6.23 and renumbering those that follow accordingly. The new paragraph should read:</p> <p>“Another form of non-mainstream residential use, for which the council is required to make provision, is that required to accommodate gypsy/travellers and travelling showpeople. In this regard, Dundee City Council provides a purpose built gypsy/travellers caravan park at Tealing, in Angus. The TAYplan Strategic Development Plan requires that existing sites in the TAYplan area are maintained but does not identify a specific additional need for further provision in the Dundee area. Also, it does not identify additional need for travelling showpeople that cannot be dealt with through existing arrangements for temporary encampments or fairs. For these reasons, the Plan does not allocate additional sites for use by gypsy/travellers or travelling showpeople.”</p> <p>3 deleting the final paragraph of Policy 15: Student Accommodation. Delete: A Section 75 obligation will be required to restrict occupancy to students unless a higher education institution is a partner in the proposed development, in which case planning conditions may be appropriate.</p> <p>4 deleting the third and final paragraph of Policy 16: Houses in Multiple Occupation. Delete: the occupation of new mainstream residential developments and substantial conversions by 3 or more unrelated people within the Central Waterfront and in close proximity to higher education institutions (including Ninewells Hospital) will be prevented. The Council will secure this objective through obligations under Section 75 of the Town & Country Planning (Scotland) Act 1997.</p>	
11 - Funding of On and Off site infrastructure	<p>The local development plan should be modified by:</p> <p>1 revising the third and fourth sentences of paragraph 6.39 to read:</p> <p>“Supplementary Guidance on Developer Contributions will ensure landowners, developers and the local authority have certainty about the likely level of developer contributions and the nature of requirements for sites from the outset in relation to education provision, roads and transportation, the green network and public art. It also identifies key areas of the city where contributions towards infrastructure are known to be required. This includes etc”.</p>	162

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	<p>2 inserting a new paragraph 6.40 comprising the text and table on page 8 and plan on page 9 of the draft supplementary guidance after paragraph 6.39 of the proposed plan, as set out below, and renumbering existing paragraph 6.40 as paragraph 6.41.</p> <p>"6.40 The following list is indicative of what contributions would be required if development in accordance with the Local Development Plan were to be approved in that location:</p> <p><u>Area Contributions Required City Wide</u></p> <p>All developments over £1m in construction value will be required to allocate at least 1% of construction costs for the inclusion of public art projects in a publicly accessible/visible place or places within the development. All development should seek to encourage and promote active travel methods. The achievement of which may be by contributions towards associated infrastructure where a development has significant impact beyond its site boundaries. All development should contribute to the Dundee Green Network where appropriate and as determined by the Council, through the integration of green infrastructure in masterplans or development frameworks and the creation and/or improvement of green infrastructure within development sites or in the local area.</p> <p>1 <u>Dundee Western Gateway</u></p> <p>All greenfield residential developments in this area will be required to contribute towards provision of: flood protection and drainage facilities; the future construction of junction improvements at Swallow Junction; the improvement works undertaken at Dykes of Gray Road; provide connections for cycling and walking routes to the wider Dundee Core Path Network and green infrastructure; and a contribution towards enhancing education provision, the nature of which is currently being considered.</p> <p>2 <u>Whitfield</u></p> <p>Residential developments built for private sector sale shall be required to contribute towards primary education facilities and provide connections for cycling and walking routes to the wider Dundee Core Path Network and green infrastructure.</p> <p>3 <u>Eastern Dundee</u></p> <p>All allocated greenfield housing sites will be required to make a financial contribution towards enhancing education provision. Any greenfield housing land release in this area over that allocated will require the provision of a new education facilities north of the A92</p>	

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	<p>Arbroath Road. Developer contributions in the form of both land and finance will be required for this new primary school and nursery. All developments in this area shall be required to provide connections for cycling and walking routes to the wider Dundee Core Path Network and green infrastructure.</p>  <p>1. Dundee Western Gateway 2. Whitfield 3. Eastern Dundee</p> <p>* Boundaries are approximate</p> <p>Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright and database right 2014 All Rights Reserved. Ordnance Survey Licence number 100023371.</p> <p>Originator: Mark Conroy Department: City Development Created on: [Date]</p>	

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	<p>3 revising paragraph two of the Roads and Transportation chapter of the draft supplementary guidance on developer contributions by adding a sixth bullet point to read: "park and choose sites".</p> <p>4 changing sentence three of paragraph 6.38 of the proposed plan to read: "In these instances, where it can be demonstrated that the need for infrastructure improvement...these improvements".</p> <p>5 revising the last sentence of paragraph 6.38 of the proposed plan by deleting the words: "...the opportunity to also seek".</p> <p>6 revising Policy 20 of the proposed plan by changing the word 'identified' in principle 2) of the policy with 'demonstrated'.</p>	
12 - Town Centres First and Retailing	No modifications.	191
13 - Sustainable Natural & Built Environment	<p>The local development plan should be modified by:</p> <p>1 revising the first sentence of paragraph 8.4 to read as follows: "To help developers address environmental and infrastructure issues early in the development process, Appendix 3 highlights which of the allocated housing sites require a Flood Risk Assessment and/or Noise Impact Assessment and/or consideration of requirements from the Habitats Regulations Appraisal".</p> <p>2 amending Policy 28: Protecting and Enhancing the Dundee Green Network by deleting the words "outdoor sports facilities or" from paragraph 3 and changing the final paragraph to read as follows: "Proposals affecting outdoor sports facilities will be safeguarded from development except where: the proposals affect only a minor part of the site or are ancillary to the principal use of the site as an outdoor sports facility and either improve or do not affect its use and potential for sport, training and amenity use; or the facility which would be lost is to be replaced by a new or upgraded compensatory facility of equal benefit and accessibility in, or adjacent to, the community most directly affected; or the proposals are consistent with the Dundee Physical Activity Strategy or Dundee Pitch Strategy and supported through consultation with sportscotland."</p>	223

ISSUE	REPORTER'S RECOMMENDATION	REPORT PAGE NO
	<p>3 amending the first sentence of paragraph 8.47 to read as follows:</p> <p>“All energy generating facilities which produce greenhouse gas emissions when used will be expected to mitigate emissions by installation of appropriate abatement technology”.</p> <p>4 revising the second criterion relating to International Sites at Policy 32: National and International Nature Conservation Designations to read as follows:</p> <p>“2) there are no alternative solutions and there are imperative reasons of overriding national public interest, including those of a social or economic nature and suitable compensatory measures have been identified and agreed”.</p> <p>5 revising the second sentence of Policy 35: Trees and Urban Woodland to read as follows:</p> <p>“New development...must ensure the survival of woodland, hedgerows and individual trees, especially healthy mature trees, of nature conservation or landscape value through sensitive site layout both during and after construction, unless removal has been approved in advance by the council” and that the third sentence of Policy 35 be modified to read as follows: “Where appropriate, development proposals must be accompanied by ...maintenance arrangements and justification for the removal of any trees or hedgerows”.</p> <p>6 amending criterion 1) under the Medium to High Risk Areas section of Policy 36: Flood Risk Management to read:</p> <p>“1) sufficient flood defences already exist or a Flood Protection Scheme or flood defence, designed and constructed to a standard of 0.5% annual probability plus climate change allowance, will be in place prior to occupation of the proposed development;”.</p> <p>7 revising the final sentence of paragraph 8.29 by inserting the words “provision of adequate riparian buffer zones to watercourses” after “de-culverting,” and the second paragraph of Policy 38: Protecting and Improving the Water Environment be modified by substituting the word “zone” for “strip” and adding the following words at the end of the paragraph: “...watercourse, which should function ecologically as riparian habitat and be of landscape and amenity value”.</p> <p>8 revising the third sentence of paragraph 8.40 by inserting the word “major” before “hazard” and that Policy 42 be modified by inserting the word “major” before “hazard”.</p>	

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	<p>9 adding a new final sentence to paragraph 8.53 to read as follows: "The Council will issue planning guidance on the required content of the statement required by Policy 46: Delivery of Heat Networks to demonstrate that consideration has been given to creation of, or link to, a heat network".</p> <p>10 adding an additional criterion to paragraph 8.54 to read as follows: "iii) Carbon rich soils." Existing points iii) to vi) should be renumbered accordingly.</p> <p>11 revising the first paragraph of Policy 48: Low and Zero Carbon Technology in New Development to read as follows: "Proposals for all new buildings will be required to demonstrate that a proportion of the carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. The relevant building standards and percentage contribution required is set out in supplementary guidance. The supplementary guidance will be kept under review to ensure the proportion of the carbon emissions reduction standard to be met by these technologies will increase over time."</p> <p>12 adding a new paragraph after existing paragraph 8.63 to read as follows: "8.64. Any proposed development which would have a direct impact on a designated Scheduled Monument requires Scheduled Monument Consent (SMC) from Historic Environment Scotland (HES). Advice on the SMC process and requirements should be sought at an early stage from HES's Heritage Directorate.";</p> <p>13 amending section a) Scheduled Monuments of Policy 52: Scheduled Monuments and Archaeological Sites to read as follows: "Where a proposed development potentially has a direct impact on a scheduled monument, the written consent of Historic Environment Scotland is required, in addition to any other necessary consents. The council will not permit developments which would destroy or adversely affect the setting of scheduled monuments."; and, re-numbering existing paragraph 8.64 as 8.65.</p>	

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14 - Sustainable Transport & Digital Connectivity	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 amending the final sentence of paragraph 9.10 to read: "Where the proposed development has the potential to generate significant travel, developers may be required to prepare travel plans in order to mitigate transport impacts and improve the accessibility of developments." 2 revising Policy 54: Safe and Sustainable Transport by including the following text: "7) be supported by a travel plan to mitigate transport impacts and improve the accessibility of developments where the council considers that the development will generate significant travel." 3 revising Policy 58: Digital Connectivity by adding the following paragraph at the end of the existing proposed policy: "The council will encourage developers to explore, in consultation with service providers, opportunities to provide digital infrastructure to new homes and business premises as an integral part of proposed development." 	241
15 - Other Issues	<p>The local development plan should be modified by:</p> <ol style="list-style-type: none"> 1 adding reference to the Tactran Regional Transport Strategy Refresh 2015-2036 to the "Tayplan Strategic Development Plan 2016-2046" box in Figure 1: Local Development Plan 2 timetable and links to national plans, policies and strategies. 2 adding the following sentence to the beginning of Appendix 3: Allocated Housing Sites: "The allocation of the sites referred to in this appendix has been informed by a Development Site Assessments document. The document contains physical, environmental, infrastructure and other site information and should be referred to by prospective developers." 3 add the following paragraph after 5.42/Policy 8: "Further information on the economic development areas and leisure parks referred to in this chapter is contained in the Development Sites Assessment document. Development 	256

ISSUE	REPORTER'S RECOMMENDATION	REPORT PAGE NO
	<p>proposals for each site will be required to be supported by the information contained in the table at section 4 of the Development Sites Assessment document.</p> <p>4 add the following paragraph after 7.44:</p> <p>"Further information on the commercial centres referred to in this chapter is contained in the Development Sites Assessment document. Development proposals for each site will be required to be supported by the information contained in the table at section 4 of the Development Sites Assessment document.</p>	

APPENDIX 2: ADMINISTRATIVE PROCEDURES TO ADOPT THE PROPOSED DUNDEE LOCAL DEVELOPMENT PLAN 2

Pre adoption	<p>Following the Committee's decision to progress with the adoption of the Proposed Local Development Plan 2, with modifications, the Council will:</p> <ul style="list-style-type: none"> • Publish a notice in a local newspaper (Evening Telegraph) stating: <ul style="list-style-type: none"> a the Council's intention to adopt the Proposed Plan (as modified); b that the Proposed Plan has been modified following the examination; and c where and when the Proposed Plan (as modified) and the table of modifications may be inspected. • Make copies of the Proposed Plan (as modified) and the table of modifications available to inspect at Dundee House, in all public libraries and on the internet. • Notify people who made representations on the Proposed Plan prior to the examination that the Proposed Plan has been published in the form in which the Council propose to adopt it (ie as modified), and where and when it can be viewed. • Within 3 months of receiving the Examination Report, section 19(12) of the Act requires the Council to send to the Scottish Ministers: <ul style="list-style-type: none"> a the modifications made following receipt of the Examination Report; b the Proposed Plan the Council wish to adopt; c the report of the examination; d the advertisement of the intention to adopt the Proposed Plan (as modified); and e the environmental assessment carried out into the Proposed Plan (as modified).
Adoption of the Plan	<p>28 days after sending the Plan to Scottish Ministers the Council can adopt the Local Development Plan unless directed not to by the Scottish Ministers.</p>
Post Adoption	<p>Following adoption of the Plan the Council will:</p> <ul style="list-style-type: none"> • send two copies to the Scottish Ministers; • publish it, including electronically; • place copies in public libraries; • notify people who made representations on the Proposed Plan of its publication and its availability in public libraries; and • advertise its publication and availability in a local newspaper (Evening Telegraph).