

REPORT TO: CITY DEVELOPMENT COMMITTEE – 26 JANUARY 2015

REPORT ON: DUNDEE LOCAL DEVELOPMENT PLAN 2014 DRAFT SUPPLEMENTARY GUIDANCE: HOUSEHOLDER DEVELOPMENT – ADVICE AND BEST PRACTICE

REPORT BY: DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 2-2015

1 PURPOSE OF REPORT

- 1.1 The purpose of the Report is to seek approval of the draft Supplementary Guidance document 'Householder Development – Advice and Best Practice' for consultation with interested parties. It also seeks approval of the screening determinations for the Strategic Environmental Assessment and the Habitats Regulation Appraisal.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee
- a approves the draft Supplementary Guidance on Householder Development – Advice and Best Practice for a 6 week period of consultation;
 - b approves the Strategic Environmental Assessment screening determination which considers the draft Supplementary Guidance document will have no significant environmental effect and that an environmental assessment of the document is not required;
 - c approves the Habitats Regulation Appraisal screening determination which considers the draft Supplementary Guidance document will have no significant effect on any European Site and that no further consideration is required;
 - d remits the Director of City Development to consult with interested parties on the draft Supplementary Guidance;
 - e remits the Director of City Development to report back to the Committee on the results of the consultation; and
 - f remits the Director of City Development to inform the public and SEA Consultation Authorities that an environmental assessment of the draft Supplementary Guidance will not be undertaken.

3 FINANCIAL IMPLICATIONS

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

4 BACKGROUND

- 4.1 The role of Supplementary Guidance is to provide additional detail on specialist subject areas to support the Local Development Plan. The draft Supplementary Guidance on Householder Development – Advice and Best Practice has been written in support of Policy 10 (Householder Development) of the Dundee Local Development Plan 2014.
- 4.2 In preparing Supplementary Guidance there is the requirement for public consultation and referral of the proposed guidance to Scottish Ministers. This report is seeking to bring forward the draft Supplementary Guidance for Householder Development – Advice and Best Practice

for public consultation. A timescale showing the procedures required for adoption of Supplementary Guidance is attached as Appendix A.

- 4.3 The purpose of the draft Supplementary Guidance is to set out advice and best practice on the design, scale and location of householder development. The draft Supplementary Guidance recognises that there will be the requirement to allow for the adaptation and extension of existing houses and development within the associated garden ground to meet the changing needs and demands of residents. The impact on the property, neighbouring property and the surrounding area as a result of any changes requires careful consideration and the guidance document offers advice for a range of householder development including extensions, dormers and garages.

- 4.4 The document can be found on the following weblink:

https://www.dundee.gov.uk/sites/default/files/publications/CD_PA_Householder%20SG%20committee%20Jan15.pdf

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.

The major issues identified are:

- a the Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies;
- b the matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and the required pre-determination screening has been undertaken under Section 9 of the Act. The screening identified that the draft Supplementary Guidance will have no significant environmental effects and the SEA Gateway is in agreement;
- c Article 6(3) of the EC Habitats Directive requires that any plan (or project), which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives. This procedure is applied in Scotland through The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and is known as the 'Habitats Regulations Appraisal' of plans;
- d the screening stage of the Habitats Regulations Appraisal identified that the draft Supplementary Guidance Householder Development – Advice and Best Practice is not likely to have a significant effect on a European site. Scottish Natural Heritage (SNH) is in agreement with this and SNH confirm that no further consideration is required.

6 CONSULTATIONS

- 6.1 The Chief Executive, the Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

- 7.1
 - i Strategic Environmental Assessment Screening Determination.
 - ii Screening Determination Response from SEA Gateway.
 - iii Habitats Regulation Appraisal Screening Determination.
 - iv Habitats Regulation Appraisal Screening Determination Response from Scottish Natural Heritage.

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14 December 2014

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Appendix A

Supplementary Guidance – Adoption Process

Phase	Activity	Estimated Timescale
Preparation of Draft Guidance	Prepare Draft in consultation with DCC departments.	January-November 2014
	Strategic Environmental Assessment and Habitats Regulations Appraisal screening requirements undertaken.	November/December 2014
	Draft Supplementary Guidance reported to City Development Committee.	January 2015
Consultation	Commence period of public consultation on draft Supplementary Guidance, including key stakeholders.	February-March 2015
Preparation of finalised Supplementary Guidance	Prepare finalised Supplementary Guidance, taking account of responses received to the public consultation.	March-April 2015
	Final Supplementary Guidance reported to City Development Committee together with a report on the outcome of public consultation.	May 2015
Adoption	Dundee City Council submits the guidance to Scottish Ministers, together with a statement setting out the publicity measures undertaken, the comments received and an explanation of how these comments were taken into account.	May/June 2015
	If no comments are received within 28 days of submission to Scottish Ministers, the guidance can be adopted as Supplementary Guidance and forms part of the Dundee Local Development Plan.	4 weeks after submission to Scottish Ministers