

Dundee City Council

Development Management Public Participation Statement 2026



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Introduction

Dundee City Council values the involvement of Community Councils, Neighbourhood Representative Structures, tenants' groups and individual members of the public in all aspects of the planning functions it performs. This provides an important measure of local opinion on planning matters and helps the Council to reach a balanced view on all planning proposals.

This guidance will help to assist both those making a planning application and those who may be affected by a planning application to make objections, representations and statements of support; and to better understand how the Council makes decisions on planning applications.

Notification and Publication of Planning Applications

Planning legislation requires the Council and applicants to carry out public consultation on several types of application.

Neighbour Notification

The Council requires to notify neighbouring properties with a postal address of certain applications which are submitted to the Planning Authority. Addresses within 20 metres of the red line boundary of an application site, on the following application types, will be sent a Neighbour Notification letter:

- Applications for planning permission and planning permission in principle
- Applications for approval of matters specified in conditions
- Applications to change or remove a condition on an existing planning permission (also known as a Section 42 application)
- Prior Notification applications for telecommunications masts

The Notice will be sent by 2nd Class post and will contain the following information:

- Date of Notice
- Name of Applicant/Agent and their given address
- Application reference number
- Description of the proposed development
- Location of application site (map) and description of the location
- Details of how the planning application documents can be inspected
- How and when representations may be made (within 21 days of the date of Notice)
- Statement of how further information can be obtained

Publication of Planning Applications

If the Council cannot carry out Neighbour Notification, for example, where there is land within 20 metres of the application site which has no postal address (also known as 'Unknown Neighbours') the Council requires to publish a notice in a local paper (Dundee Evening Telegraph).

Applicants require to pay the cost of local press advertisements.

In addition, the following applications are also advertised:

- Listed Building Consent - advertisement is also placed in the Edinburgh Gazette
- Conservation Area Consent
- Certain applications which may affect a conservation area
- Schedule 3 'Bad neighbour' developments
- Applications involving a departure from the Development Plan
- Applications subject to an Environmental Impact Assessment Report (EIA development)
- Hazardous Substances Consent

The period to make timeous comments is on the lapse of the last statutory notice to be published. This means if the press advertisement deadline is later than the Neighbour Notification deadline, the press advertisement deadline becomes the final date for comments.

Press advertisements normally appear in the Classified Advertisements section of the Dundee Evening Telegraph, on a Friday.

Weekly List

The Council publishes on its website a Weekly List <https://www.dundee.gov.uk/service-area/city-development/development-management/planning-applications-weekly-list-and-register> of new applications, normally every Friday afternoon.

There are links on the Weekly List with details of each application. These are contained within the Public Access application search facility here: <https://idoxwam.dundee.gov.uk/idoxpa-web/>

An electronic copy may be viewed at Dundee House by reporting to reception and asking to speak with the Duty Planning Officer between 08:30 and 16:30 Monday to Friday.

Community Councils and Neighbourhood Representative Structures in Dundee are statutory consultees and are sent the Weekly List via email.

Site Notices

Site Notices are placed at, or as close to the application site as possible, where an application may affect a listed building or conservation area. The Notice is signed and dated by an Officer and must be displayed for a minimum of 7 days. The consultation period runs for 21 days from the date on the Notice.

Applicant Statutory Requirements – Landowner Notification

All applicants applying for planning permission or listed building consent on land or premises not owned by them have the following legal obligations:

- Serve formal notice on all owners of land/buildings which are subject to an application for a period of 21 days before the application is submitted to the Planning Authority.
- Signed Landownership Certificate (embedded within the application form) which declares either landownership, or details of who has been notified and when.
- If a landowner comes forward through the course of processing an application who has not been notified, the applicant must notify them and provide an updated Landownership Certificate. The Planning Authority cannot issue a Decision until the 21-day landownership notification period has lapsed.

If an applicant is unsure if they own all of the land, they should obtain their own independent legal advice as it is a criminal offence to knowingly or recklessly provide false information.

If it cannot be established who owns the land, the Council is required to publish a notice in the press at a cost to the applicant.

Note for Applicants

The planning process also requires certain application details to be made publicly available. This includes the name of the applicant and the address of the application site, which are published on the Planning Register and Weekly List in accordance with statutory requirements.

Changes to a Planning Application After it has Been Submitted

When an applicant requests a change to an application which is valid, the Council will consider whether it would result in a material change to the description or character of the development. If it does, the Council will not agree to it. The Council will ask the applicant to withdraw the application and submit a new application.

Changes may be accepted where they do not materially change the nature or scale of the proposed development and where they do not significantly adversely impact on neighbouring amenity. In such circumstances, the Council will carry out additional notification and/or advertisement as they consider necessary. The Council reserves the right to undertake additional Neighbour Notification where there is a material change to the plans through the course of a planning application pending consideration.

Guidance for Third Parties - Commenting on Planning Applications

The Council operates a strict code in respect of the validation of representations. Receipt of representations will be acknowledged and those making valid objections/representations will be notified of the Decision.

How to Make a Representation/Comment

Letters of objection/support/representation can be made electronically through the Dundee City Council Public Access site here: <https://idoxwam.dundeecity.gov.uk/idoxpa-web/>.

Comments submitted on the Dundee City Council Public Access page are limited to **5000 characters** and cannot include file attachments.

Alternatively, an email can be sent to planning.info@dundeecity.gov.uk if your comment exceeds the limit noted above.

Publication: All comments must include **your name and full postal address to be valid**. Where more than one representation is received for the same household/address, this shall be defined as the Council having received **one representation**.

The Council will register and acknowledge valid comments, and these will be publicly available on the planning application file at Public Access **and can be viewed by anyone**.

Note: We will not publish personal information such as your email address, phone number and signature, **however, your comment, name and address will be published online**.

Comment Period: The Council must receive your representation within the required deadline, which is:

- Within **21 days** of the date the Council states the application is **valid**
- Within **21 days** of the date of any **Neighbour Notification letter**
- If the application is advertised, by the **deadline shown in the advertisement**
- Within **21 days** of the date on any Site Notice displayed at an application site

For a representation to be **valid** it must be made for legitimate planning reasons, referred to as material considerations.

Representations which are not submitted timeously will not be made valid and will not be considered in the determination of any application.

All representations should be expressed as clear statements of objection or support. Any questions asked in representations will not be answered separately.

Note for Community Councils and Neighbourhood Representative Structures: the above periods also apply to Community Councils and Neighbourhood Representative Structures who wish to make any comments on planning applications as a statutory consultee.

Material Considerations

Material considerations are the matters that a planning authority can consider when determining a planning application. Examples of material considerations are listed below:

- Compliance (or non-compliance) with the Development Plan
- National Policy such as Historic Environment Policy for Scotland (HEPS)
- Design (layout, appearance, materials etc.)
- Traffic, parking or access problems
- Amenity (overshadowing, overlooking, noise, odour, dust etc)
- Infrastructure issues
- Historic environment (listed buildings and conservation area impacts)
- Natural heritage issues (such as trees, landscaping, protected species)

Non-Material Considerations

Non-material considerations are matters which cannot legally be taken into account in the determination of a planning application. **These will not be referred to or considered in any report of handling or Committee report.**

Examples of non-material considerations are listed below:

- Loss of view
- Impact on property values
- Health or financial concerns
- Private neighbour disputes
- Construction damage, noise, or disruption
- Speculation about future uses of the site
- Moral objections
- Landownership disputes
- Who the applicant is
- Competition

These are not exhaustive lists. Further advice can be obtained by contacting the case officer or Duty Planning Officer.

Conduct: The use of inappropriate, abusive, or offensive language in representations is not acceptable. Any comment containing unsuitable wording, personal attacks, or language that breaches standards of respectful communication will be redacted before publication and not considered in the determination of the application. Please ensure that all representations are made constructively and respectfully.

Petitions of Objection, Support or Representation

A petition in respect of a planning application will be considered provided that:

1. It is clear the petition relates to a specific planning application, and that the petition is centered around valid planning matters (see material considerations for examples).
2. Each page must be headed with the aim of the petition. **Pages which are not headed with the aim will not be counted.**
3. The petition promoter must be clearly identified, and their name, address and email address must be provided.
4. Each signatory must provide their name and postal address in a legible manner, and this must be signed in their own hand.
5. The petition must be submitted within the statutory timeframe.

The petition and individual signatures must comply with the above to be accepted and counted.

The planning authority will acknowledge receipt of the petition and inform either the petition's promoter or the first named signatory of its decision. Individual signatories will not be notified.

Pre-Application Consultation - Major and National Developments

Applications for national or major development must have complied with the Pre-Application Consultation (PAC) process. This means that for such applications developers must:

- Submit a Proposal of Application Notice to the planning authority and relevant Community Council(s) at least 12 weeks prior to an application being submitted.
- Hold at least two physical public events, which must be advertised in the local newspaper at least 7 days prior to the event taking place.
- Submit a Pre-Application Consultation Report with the planning application.

Any comments you give to a developer during a public consultation event are not treated as comments on a formal planning application and the Council cannot consider or respond to these comments. The only comments the Council can consider are valid representations submitted directly to the Council once a planning application has been formally lodged and is open for public comment.

Decision Making on Applications

The Council's Scheme of Delegation sets out which decisions are made by Council Officers and those made by Elected Members. The Scheme of Delegation can be found here:

<https://www.dundee.gov.uk/sites/default/files/DCC%20STANDING%20ORDERS%20%281%29.pdf>

Delegated Decisions

In the case of local applications (householder, small-scale and less complex large scale planning applications), the Council has delegated these Decisions to the Chief Planning Officer or an Appointed Officer on behalf of the Council. These applications will not be determined by the Planning Committee.

Planning Committee Decisions

Some planning applications are determined by Elected Members at Planning Committee. The Planning Committee comprises all Elected Members of Dundee City Council. Each Elected Member receives a detailed report from the Chief Planning Officer. This assesses the application in accordance with the relevant Development Plan policies and relevant material considerations, before making a recommendation to either approve or refuse the application. The Scheme of Delegation requires the following applications to be determined by Planning Committee:

- All national and major category developments.
- Any application where there are six or more valid, and timeous objections are received and the application is recommended by Officers for approval.
- Any application with an objection from a statutory consultee and the application is recommended for approval.
- A proposed development that is 'significantly contrary to the development plan' also known as a 'departure' may be referred to Planning Committee if the Chief Planning Officer judges that:
 - The proposal conflicts with key objectives of the development plan, and
 - Approving it would seriously undermine the plan's overall purpose, and
 - It would weaken or damage other planning policies or proposals in the plan.
- Any application which an Elected Member has, within 21 days of the validation of an application, formally requested in writing, that the application be referred to Planning Committee to make a Decision.
- Section 43A(6) referral - Any application where, within 21 days of the application appearing on the Weekly List, written notice is given to Committee Services that Planning Committee intends to determine the application. This shall only be valid when signed by the Convenor and Vice Convenor and shall include a statement of the reasons for such a referral.
- Any application which is subject to an Environmental Impact Assessment Report.
- Applications for Hazardous Substances Consent.
- Any application considered by the Chief Planning Officer to merit referral to Committee on valid planning grounds.

The Council also has a Discretionary Scheme of Delegation which can be found here:

https://www.dundee.gov.uk/sites/default/files/publications/CD_Scheme_of_Delegation_D_2013.pdf

Those concerned with the progress of an application are encouraged to check the application file on Public Access, or to contact the Planning Officer assigned to the application.

Participation at Planning Committee

Applicants, agents, and those who submit valid representations may wish to make verbal presentations to the Planning Committee. This is referred to as a deputation request. The following procedures apply:

- Deputation requests to be heard will only be related to those applications which are to be determined by Planning Committee, not those delegated to Officers.
- Applicants/agents and those who have made valid and timeous representations will be informed in writing when the application has been placed on a Draft Planning Committee Agenda.

Requesting a Deputation

Requests must be made in writing, preferably by email to: committee.services@dundeecity.gov.uk or by letter addressed to the Committee Services Officer, Corporate Services, Dundee City Council, 21 City Square, Dundee, DD1 3BY, **at least 5 working days before the Committee date**, this does not include the day of the meeting. **No late requests will be considered or reported.**

Letters or emails requesting a Deputation must include:

1. Application reference number,
2. Name and address of the person making the request and, on whose behalf,
3. Contact telephone number.

Where an application is not decided by the Planning Committee and is moved to a future date, those who have made a request to be heard verbally or in writing previously should confirm this in writing again as outlined above. The Council will notify applicants, objectors and those who have submitted supporting statements when it can place the item on the agenda of the Planning Committee. This will normally be 10 days prior to the date of the meeting.

Planning Committee dates can be found here:

<https://www.dundeecity.gov.uk/reports/calendar>

Deputation Procedure at Planning Committee

The order for Deputation Requests will be outlined on the Planning Committee Agenda.

- Committee Services will make contact the week before Planning Committee to advise on the procedures which will be followed.
- There is no automatic right to be heard, this will be decided by the Planning Committee.
- Planning Committee is normally held on Teams, those proposing to address the Planning Committee will be sent a link to a Teams meeting and should join the meeting virtually no later than 4.55pm on the evening of the Planning Committee or as otherwise advised by the Committee Services Officer. If a meeting is not to be held on Teams Committee Services will advise of the date, time and place of the Planning Committee meeting and arrangements for attendance.
- When called to speak by the Convenor, a maximum time of 7 minutes is permitted for the deputation to put their case forward, this must be based on valid planning matters only. Shared deputations will share the 7 minutes.

- Supporting papers, reports or photographs cannot be circulated to Elected Members as part of the presentation unless the Convenor has agreed to it in writing prior to the meeting.
- Elected Members may ask questions; however, no questions may be asked of Elected Members.
- Deputations can stay to hear the debate and to listen to the Decision.
- Elected Members may ask questions of the Chief Planner.
- Elected Members will then normally proceed to determine the application.

Discussion of Planning Applications with Elected Members

Elected Members may be approached by third parties and may be prepared to listen to their comments; however, the Councillors Code of Conduct prevents Elected Members from expressing any opinion on an application or expressing how they may intend to vote prior to an application being determined at Planning Committee.

Should Elected Members express an opinion they will require to declare an interest in the application before it is considered by Planning Committee. This may exclude an Elected Member from taking part in any debate and voting.

Pre-Determination Hearings

National Developments and major developments, which are significantly contrary to the Development Plan will require a Pre-Determination Hearing to be held. Where an application requires a Pre-Determination Hearing, the process of requesting a deputation will be the same as outlined above for Planning Committee. The meeting order for a Pre-Determination Hearing will follow the same order as Planning Committee, as set out above. After the Pre-Determination Hearing, Elected Members will proceed to determine the planning application at Planning Committee.

Procedure After Decision Has Been Made

The applicant/agent will receive a Decision Notice. Soon after, all third parties who made valid representations will be notified of the Decision and advised on where to find the relevant information. The consideration of the application, including all representations, will be set out within the Report of Handling or Planning Committee Report.

There may be a delay in issuing decisions where, for example, a Legal Agreement needs to be concluded prior to a Decision Notice being issued.

Planning Committee Reports

These are published a minimum of three full working days before the Planning Committee date. Agenda items and Committee Reports can be found on the Committee Services website here: <https://www.dundee.gov.uk/reports/calendar>

Or by contacting Committee Support Services at committee.services@dundee.gov.uk

Report of Handling

In the case of decisions delegated to Planning Officers, Reports of Handling are available on Public Access <https://idoxwam.dundee.gov.uk/idoxpa-web/> pages, or via the Duty Planning Officer after a Decision has been made.

Right of Appeal

Scottish Planning Law provides no Right of Appeal against a planning decision for third parties who have commented on a planning application.

Local Review Body

Within three months of the date of a planning decision, applicants can appeal against a decision to refuse planning permission, or against any planning conditions they may seek to amend or delete from a Decision.

If an application has been refused under delegated authority (by Officers) the appeal must be lodged via the Local Review Body (LRB), who will review the Decision. The LRB is comprised of a small committee of Elected Members who meet to discuss and decide on review cases.

For further information on the role, composition and work of the LRB please see the link below:

<https://www.dundee.gov.uk/service-area/city-development/development-management/planning-appeals>

Directorate of Planning and Environmental Appeals (DPEA)

Appeals to the Scottish Ministers are only available for those applications determined by Planning Committee. The DPEA also handle Appeals related to Listed Building Consents, Advertisement Consents, Conservation Area Consents, Certificates of Lawfulness and Prior Notifications. You can find out about how to make an appeal, fees involved and other guidance from the Directorate of Planning and Environmental Appeals by visiting the Scottish Government's website or by contacting:

Directorate for Planning and Environmental Appeals

4 The Courtyard

Callendar Business Park

Falkirk FK1 1XR

Email DPEA@scotland.gsi.gov.uk

Tel 01324 696400

Fax 01324 696444

Use of Personal Data

Dundee City Council respects your personal information and undertakes to comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Why We Collect Your Data

We collect and process personal data submitted as part of a planning application, comment, representation, enquiry or related correspondence in order to carry out our statutory planning functions under the Town and Country Planning (Scotland) Act 1997 and related legislation. This includes:

- maintaining the statutory Planning Register;
- notifying and consulting relevant parties;
- enabling public participation in the planning process; and
- issuing decisions and publishing related documentation.

Legal Basis for Using Your Information

The lawful basis for processing your personal data is Article 6(1)(e) of the UK GDPR as this is an activity we are legally required to carry out under the Town and Country Planning (Scotland) Act 1997 and related legislation.

How We Use and Publish Your Personal Data

Names and addresses will be published online as part of our obligations to maintain public planning registers under the Town and Country Planning (Scotland) Act 1997.

When a valid representation or comment is submitted, your name and address will be published on the planning portal. Your position on the application (support or objection) will also be published.

Personal data in the form of e-mail addresses, phone numbers and signatures contained within the application form, related correspondence and reports will not be published or made publicly available.

Any other personal or special category data will be removed from documents before publication.

A copy of the Council's Data Protection Policy can be found here:

<https://www.dundee.gov.uk/service-area/corporate-services/democratic-and-legal-services/data-protection>

How Long We Keep Your Data

All comments will be held on the Part II Planning Register in perpetuity in accordance with the Council's Development Management File Retention Schedule.

Your Rights

You have rights in relation to your personal data, including the right to ask for a copy of it. Any queries regarding the processing of your personal data by Dundee City Council should be directed to the Data Protection Officer by contacting:

infogov@dundeecity.gov.uk

Tel: 01382 434206

Address: Corporate Services, 21 City Square, Dundee, DD1 3BY

You also have the right to make a complaint to the [Information Commissioner's Office](#) if you think we have not handled your data properly.

The Development Management Service is provided by the City Development Department and is located at:

Floor 6, Dundee House
50 North Lindsay Street
Dundee DD1 1LS

All in-person callers please report to Main Reception, Dundee House 8.30am – 4.30pm
Monday – Friday - ask to speak to the Duty Planning Officer.

You can also speak to the Duty Planning Officer 08:30am – 5:00pm Monday – Friday by calling 01382 433105.

Disclaimer

All guidance provided in this document is correct at the time of publication and this document will be periodically reviewed. The information and advice contained within this document should not be taken to be an authoritative interpretation of the law.

All advice given by the Planning Authority is given without prejudice to the determination of any planning application.

Useful Links

Planning Aid Scotland: <https://www.pas.org.uk/>

Development Management Circular: <https://www.gov.scot/publications/planning-circular-3-2022-development-management-procedures/>

Contact Details

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

For general advice and information,
email planning@dundeecity.gov.uk

Website: <http://www.dundeecity.gov.uk/>

