

**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Officer – Regulatory and Regeneration****Planning Committee: 5<sup>th</sup> June 2024**

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**Subject: Masterplan Consent Areas - Statement of Consideration****1. Purpose**

- 1.1 To seek the agreement of the Committee to issue the Statement of Consideration in relation to Masterplan Consent Areas.

**2. Recommendations**

- 2.1 It is recommended that the Committee agree the proposed Council Statement of Consideration set out at 4.3 below.

**3. Background**

- 3.1 The [Planning \(Scotland\) Act 2019](#) introduced Masterplan Consent Areas (MCAs) as a new proactive consenting mechanism.
- 3.2 The Council will in future be able to use prepare Masterplan Consent Area schemes as part of a placemaking approach to planning and consenting. It is a new way for the Council to shape new development in our area – enabling the type and quality of development we wish to come forward through a consenting masterplan, and to support delivery of development that can support local needs, priorities and outcomes.
- 3.3 Unlike planning applications which are typically led by a developer, the preparation of MCA schemes will be led by the planning authority, but can be taken forward through collaboration.
- 3.4 The new provisions will allow the Council to prepare a MCA ‘Scheme’ setting out for particular places, the detail of what they are giving consent for, through the MCA scheme. There will be requirements for publicity and consultation on individual schemes.

- 3.5 MCA schemes can streamline consent, allowing issues to be considered as part of a joined up approach, they can grant:
- planning permission,
  - roads construction consent,
  - listed building consent, and
  - conservation area consent.
- 3.6 Within adopted MCA areas, development could be brought forward without the need for a full application as long as it is in line with the agreed scheme.
- 3.7 More details about Masterplan Consent Areas are available in the [Consultation Paper on the draft MCA Regulations](#) – the Scottish Government’s consultation closed on 22 May 2024, a response to which was approved by Planning Committee on 8 May 2024.

#### 4. **Main Issues**

- Consideration of the Duty to periodically consider making MCA schemes
- 4.1 Part 2 of the 2019 Act (Section 15) sets out the legal framework for preparing MCAs. The full provisions from the Act relating to MCAs and the associated regulations are not yet in force. We anticipate the MCA provisions being fully in place later in 2024.
- 4.2 However, Schedule 5A Paragraph 5 is in force and requires planning authorities to consider whether it would be desirable to make a scheme for a part or parts of their district, and to publish a statement as to their consideration of that, by 25 July 2024.
- 4.3 As the MCA regulations are not yet in place, we have not yet identified or assessed potential locations for which it may be desirable to bringing forward an MCA scheme. We intend to reconsider this once the legal basis for preparing MCAs is in place.
- 4.4 The Scottish Government has indicated that MCAs could be used to support delivery of the local development plan. We will consider whether it would be desirable to make any Masterplan Consent Areas as part of our work on delivery linked to the Local Development Plan’s Delivery Programme.
- 4.5 This Statement fulfils the Council’s legal requirements under [Schedule 5A Paragraph 5 of the Town and Country Planning \(Scotland\) Act, as amended](#).

## **5. People Implications**

5.1 There are no personnel issues associated with this report.

## **6. Financial and Procurement Implications**

6.1 There are no financial or procurement implications associated with this report.

## **7. Risk Analysis**

7.1 There are no risks associated with this report.

## **8. Equalities Impact Assessment (EIA)**

8.1 EIA 1009: The statement does not have any relevance to the four areas, it is screened out as not relevant therefore no EIA is required.

## **9. Consultation**

9.1 Planning officers have discussed the statement with colleagues in Regeneration and Housing and attended Heads of Planning Scotland events to discuss the proposed Masterplan Consent Areas Regulations.

## **10. Strategic Assessment**

10.1 Masterplan Consent Areas will be of relevance to the following strategic priorities:

- A strong local economy and improved employment opportunities – through setting planning policy for housing and economic development within a wider framework which has addressing climate change and nature recovery as primary guiding principles.
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged – through setting guidance for when and how communities should be engaged in the development planning process.

**Alan Douglas**

**Chief Officer – Regulatory and Regeneration**

**Date: 5<sup>th</sup> June 2024**

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**Appendix:** None

**Background Papers:** Masterplan consent area regulations: consultation  
<https://www.gov.scot/publications/masterplan-consent-areas-consultation-draft-regulations/>

Equalities Impact Assessment 1009

**Wards Affected:** All