



Angus Local Development Plan 2016

DEVELOPER CONTRIBUTIONS AND AFFORDABLE HOUSING SUPPLEMENTARY GUIDANCE

August 2018



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1 Introduction

This Supplementary Guidance supports Policy DS5 Developer Contributions and Policy TC3 Affordable Housing of the Angus Local Development Plan.

The aim of this document is to set out clear and concise, yet flexible, guidance on the type of development likely to make contributions, and the methodologies used in the calculation of contributions under Policies DS5 and TC3.

In preparing this supplementary guidance, the Planning Service has worked collaboratively with internal service departments' within Angus Council in order to provide a robust analysis on how the Developer Contributions policy will be implemented.

Policy DS5 Developer Contributions

Developer contributions may be sought from all types of development where proposals individually or in combination result in a need for new, extended or improved public services, community facilities and infrastructure.

Contributions may be financial or in-kind, and will be proportionate in scale to the proposed development and the tests set out in national policy and guidance.

Where contributions cannot be secured through a planning condition, a Section 75 agreement or other legal agreement will be required.

Contributions may be sought for the following:

- ▶ Open Space, biodiversity enhancement and green infrastructure, including infrastructure relating to the water environment and flood management;
- ▶ Education;
- ▶ Community Facilities;
- ▶ Waste Management Infrastructure; and
- ▶ Transport Infrastructure.

The Council will consider the potential cumulative effect of developer contributions on the economic viability of individual proposals.

Supplementary Guidance will be prepared, consistent with requirements of Scottish Government policy on planning obligations currently set out in Circular 3/2012, to provide additional information and guidance on how developer contributions will be identified and secured. This will include the levels of contribution or methodologies for their calculation, including thresholds, exemptions and viability considerations. Whilst the exact nature of contributions will be negotiated at the time of application, potential areas of contribution are highlighted in site allocation policies where known.

Waste Management

In relation to waste management infrastructure, Angus Council has recently undertaken a strategy review of the waste management service that has resulted in the consolidation and improvement of existing facilities. Therefore, no further waste management infrastructure is likely to be required as a result of new development.

Policy TC3 Affordable Housing

Angus Council will seek to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all residential sites of 10 or more units, or where a site is equal to or exceeds 0.5ha.

Where a qualifying site is being developed in phases of less than 10 units or less than 0.5 hectares the affordable housing requirement will be applied based on the overall capacity of the site.

Angus Council will work in partnership with developers and consider innovative and flexible approaches to secure delivery of an appropriate affordable housing contribution. Where appropriate Section 75 or other legal agreements may be used.

Details of the scale and nature of the affordable housing contribution sought from individual sites, including tenure, house size and type, will be subject to agreement between the applicant and Angus Council taking into account:

- ▶ local housing needs (set out in the current Housing Needs and Demand Assessment);
- ▶ physical characteristics of the site;
- ▶ development viability; and
- ▶ availability of public sector funding.

The Affordable Housing Policy Implementation Guide sets out how the Council will implement this policy and secure the delivery of Affordable Housing in line with the provisions of Scottish Planning Policy and guidance.

What are Developer Contributions?

Angus Council recognises the important role new development plays towards encouraging sustainable economic development. However it is acknowledged that a partnership approach in conjunction with the development industry is vital in ensuring new development and the associated infrastructure is successfully delivered.

Developer contributions will be required towards infrastructure needed to make their development acceptable in land use planning terms. These may be provided in kind, either on site or off site, or through a financial contribution.

Policy tests set out in Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements guides where planning obligations may be applicable. These are set out below:

- ▶ Necessary to make the proposed development acceptable in planning terms;
- ▶ Serve a Planning purpose and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans;
- ▶ Relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area;
- ▶ Fairly and reasonably relate in scale and kind to the proposed development; and
- ▶ Be reasonable in all other respects

It is accepted that the requirement for developer contributions will vary depending on the location, nature and scale of proposed development taking into account the location and capacity of existing infrastructure provision. In these circumstances, the requirement for developer contributions across Angus will be considered on a case by case basis.

What are Affordable Housing Requirements?

Affordable Housing is defined in Scottish Planning Policy (2014) as “Housing of a reasonable quality that is affordable to people on modest incomes.”

Policy TC3 seeks to secure delivery of affordable housing on all qualifying allocated and windfall residential sites. This policy applies to the four Angus Housing Market Area’s and is consistent with Scottish Planning Policy (SPP), PAN 2/2012 Affordable Housing & Housing Land Audits and is also based on the most up to date assessment of the requirement for affordable housing across Angus provided by the TAYplan Housing Needs and Demand Assessment (2013) (HNDA).

Whilst the provision of affordable housing to meet an identified need is not a developer contribution, but nonetheless required, the Council considers that this document is appropriate to set out the approach on how affordable housing will be delivered in Angus.

2 Format of the Guidance

The guidance sets out detail on the approach to developer contributions including how contributions are secured and managed. Appendix 1 summarises the type of developer contribution that will be sought from development in Angus.

A series of area tables have been provided in Annexe A which illustrate where contributions are likely to be required. This is based on the requirements of each of the main Angus settlements and applies to all qualifying developments where contributions are required within the secondary school catchment area. An assessment of the capacity of existing infrastructure and impact of new development identified in the Angus Local Development Plan (LDP) has informed the area tables. This Annexe will be updated in line with infrastructure reviews, such as updated school roll forecasts to ensure that it reflects the most up to date position. Notification of updates will be provided.

This ensures development which is not within a main settlement boundary, but nevertheless impacts on existing infrastructure can easily be identified. Where development on any allocated, opportunity or windfall site falls within a secondary school catchment which requires mitigation, developer contributions may be required.

The tables clearly set out the types of contribution which may be applicable dependent on the location of your development. All costs are provided on a per unit basis.

Furthermore, this approach allows a cost per settlement to be identified with detail on how these costs have been calculated.

Please note, each application is assessed on a case by case basis, and while the information provided sets out the likely level of contributions this is subject to variation depending on the nature, scale and location of individual applications.

It should be noted that the affordable housing section of this document makes reference to the four Housing Market Areas.

3 Approach to Developer Contributions

Housing market areas are geographical areas which are relatively self-contained in terms of housing demand. Whilst the housing market areas form part of the area tables their specific geographies are different.

Developer Contributions may be sought for the following types of development, including change of use proposals:

Residential Development

Development of 10+ units, or site area in excess of 0.5 hectares or where a residential development's cumulative impact may have an impact on infrastructure will be expected to contribute proportionately.

Contributions will not usually be sought for residential development of less than 10 units, however where the site is for less than 10 units but exceeds 0.5ha then contributions will be sought. Should phased developments' cumulative impact result in development which exceeds this level, or where a site forms part of a larger parcel of land with capacity for 10 units or more then contributions may be sought.

Where identified intervention is required for development of below 10 units this will be clearly set out within the settlement tables particularly where a cumulative approach is required towards education contributions within identified rural primary catchments.

Each proposal will be assessed on a case by case basis to establish the requirement for Developer Contributions, with a preference for on-site provision in all but exceptional circumstances. In terms of affordable housing, whilst on-site provision remains the preference other delivery mechanisms may be available. Where on-site delivery is not possible then a financial contribution may be required.

Contributions are set out on a per unit basis.

Qualifying residential developments may require to contribute towards:

- ▶ Open Space, biodiversity enhancement and green infrastructure
- ▶ Education
- ▶ Community Facilities
- ▶ Transport Infrastructure
- ▶ Affordable Housing

Commercial Development

Commercial developments with a site area equal to or in excess of 0.5 hectares or where the nature of development gives rise to infrastructure impacts may require to contribute towards Transport Infrastructure and/or Open Space (public and amenity open space only), biodiversity enhancement and green infrastructure.

Each proposal will be assessed on a case by case basis to establish the requirement for Developer Contributions, with a preference of on-site provision. Where this is not possible then a financial contribution may be required.

There is no standard methodology for any contributions to Transport Infrastructure and any required contributions will be related to the mitigation required and detail from a Transport Assessment.

For open space contributions an equivalent per unit calculation is undertaken and weighting factor applied to reflect the likely occupation levels within a particular use class.

To calculate an equivalent per unit, the Gross Floor Area (GFA) in sqm of the building is added to 50% of the proposed parking area (PA) in sqm and then divided by an average plot size of 400 sqm. This would then be multiplied by the weighting factor for the relevant use class.

$$\text{GFA} + \text{PA}/2 = \text{SQM Total}/400 = \text{per unit number}$$

Where planning applications for Planning Permission In Principle and where the GFA may not be known a condition will be applied to any permission indicating that this Supplementary Guidance will be applied at the time of future applications.

The following weighting factor would then be applied to the open space rate to be applied to employment use proposals

Use Class	Weighting Factor
Class 4	0.75
Class 5	0.2
Class 6	0.2
Sui Generis/Other Use Classes	Based on nature of application

Sites with Planning Permission

Assessment of impact on infrastructure and the requirement for Developer Contributions will apply to new planning applications on sites with planning permission that:

- (i) Have not been lawfully implemented. In assessing potential developer contributions account will be taken of previous application history. Such applications should be supported by a statement setting out the implications of current policy requirements on development viability.
- (ii) Have been lawfully implemented and the new application would result in a net increase in units (e.g. thorough sub division of plots) from the original permission. In this circumstance developer contributions and/or affordable housing requirements would apply to the net increase in units.

New planning applications on sites with planning permission that have been lawfully implemented and would not result in an increase in the number of units would not require to be re-assessed in line with current policy requirements.

How are Developer Contributions Secured?

Where developer contributions cannot be secured through a planning condition, contributions may be secured through either an upfront payment under Section 69 of the Local Government (Scotland) Act 1973 or through a Planning Obligation agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 as amended. Sample Section 75 templates are available from Angus Council on request.

Where an upfront payment is the preferred method or remittance this must be concluded before planning permission can be issued.

If there is an affordable housing requirement and/or the level of contributions are such that phased payments are required then the applicant will require to enter into a Planning Obligation agreement. This will set out the terms and conditions of the Planning Obligation. In these circumstances the broad detail (including level of contributions and percentage of affordable housing) would require to be agreed prior to the determination of the planning application, in appropriate circumstances, a negative suspensive condition would be included that requires a planning obligation to be concluded.

In circumstances where a planning obligation is required to be concluded before the grant of planning permission, a time limited period of 3 to 6 months is likely to be provided for conclusion of that obligation.

Indexation of Contributions

All rates as set out in this guidance are correct as of August 2018. Contributions will be index linked to the Building Cost Information Service (BCIS) All-in Tender Price Index as at August 2018. The index figure at August 2018 is 313. This will be the relevant index within any Legal Agreement. Angus Council will look to publish an annual update of the rates within this guidance in line with this index factor. Affordable housing commuted sums will not be index linked.

Management of Developer Contributions

Financial contributions received will be held in the Council's balance sheet in a unique account, to which Interests on Revenue Balances (IROB) interest is added on a monthly basis. In the event of a contribution not being committed within 10 years from the date of final payment of a contribution, the contribution or staged payment contribution will be refunded to the applicant or their nominee along with relative interest accrued.

The Council has established an internal cross-Service Planning Obligations Monitoring Group. The remit of this group is to monitor and report on a quarterly basis the progress of developer contribution payments made to the Council.

Development Viability

Angus Council recognises that there may be instances where unforeseen costs may affect development viability, and may take this into account dependent on circumstances. As an example, a listed building and associated costs of development would not be classified as an unforeseen cost. There is an expectation of developers to undertake a full development appraisal at the outset of their development which takes into account all likely costs including developer contributions and affordable housing requirements. Angus Council cannot take into account viability where this has not been considered.

The Council have set out in Page 10 of this Supplementary Guidance a list of development types where developer contributions for education will not be required.

For unforeseen costs to be taken into account the developer is required to prepare and submit a Development Viability Statement. This allows a comparison of costs to be evaluated, in comparison to projected value.

The Development Statement must comprise the following;

- ▶ A copy of the development appraisal setting out the allowance for developer contributions and affordable housing.
- ▶ Cost plans providing estimates which include a detailed breakdown produced by RICS.
- ▶ Information on additional development costs pertaining to the proposed development with detailed specifications, including external works.
- ▶ Reports detailing the nature, extent and financial implications are required.
- ▶ Projected market valuations for each property within the development, derived from the projected market valuation for each unit.
- ▶ An indication of the timescales within which each property would be marketed and sold, and where appropriate development phasing information.

Please note all information submitted must be prepared by appropriately qualified professionals.

As part of the planning application process, Angus Council's Property Service will be consulted where any Development Viability Statements are submitted.

4 Methodologies for Calculating Required Developer Contributions

Details of the methodology for calculating the per unit rate as outlined in the area tables and background to these is provided below.

4.1 Open Space, Biodiversity Enhancement & Green Infrastructure

Open space provision within new development varies and can encompass a wide variety of types of open space. There is a presumption that requirements will be met on site in line with the following policies of the Angus Local Development Plan:

- ▶ Policy PV1 Green Networks and Green Infrastructure
- ▶ Policy PV2 Open Space Protection and Provision within Settlements

Requirements will be assessed first and foremost on a case by case basis and early engagement with the Landscape Services Team at the design stage will assist applicants to establish requirements.

However it is recognised that this may not always be possible. Where onsite provision cannot be delivered or it is more suitable for open space to be improved elsewhere, a financial contribution may be sought taking account of the Council's open space strategy which is currently being developed. Any financial contribution will be calculated in line with the methodologies set out below.

Open space provision can include many different uses and this guidance sets out an approach for the following different categories of open space.

- ▶ Public Park & Amenity Open Space
- ▶ Formal & Informal Play Space
- ▶ Allotments
- ▶ Core Paths

In some instances a contribution may be sought for a particular element of open space, or combination of open space dependent on the required level of provision.

Public Park & Amenity Open Space

Public park and amenity open space encompasses areas of grass, planting and hard landscaping.

The formula for calculating the financial contribution for off-site provision for public parks and amenity open space is as follows:

No of residential units x £518 per unit = required contribution

This cost of £518 per unit has been derived from the average cost of creating 100sqm of parkland within Angus which equates to £1,279. Of the required 60.75sqm per residential unit as identified in Policy PV2, 40.5sqm (or 2/3) is proportionate to parks and amenity open space. Therefore $40.5 \times £12.79$ per sqm = £518.

Formal & Informal Play Space

Formal and informal play space includes formal equipped play areas (such as swings, climbing frames etc.) and areas for informal recreational space.

The formula for calculating the financial contribution for off-site provision for formal and informal play space is as follows:

No of residential units x £490 per unit = required contribution

This cost of £490 per unit has been derived from the average cost of creating 100sqm of formal and informal play space within Angus which equates to £242. Of the required 60.75sqm per residential unit as identified in Policy PV2, 20.25sqm is proportionate to formal and informal play space. Therefore $20.25 \times £24.20$ per sqm = £490.



Water Environment and Flood Management

Angus Council may seek developer contributions for development proposals which will have an adverse impact on the water environment or that may exacerbate flood risk. This will be assessed on a case by case basis and in all cases any identified off-site works must be demonstrated to be deliverable in terms of land ownership. Due to the nature of the required works being very specific it has not been possible to identify a standard methodology. However it should be noted that these types of contribution are only likely to be applicable in a limited number of circumstances.

Allotments

The Community Empowerment (Scotland) Act 2015 places a requirement on local authorities to make provision for allotments and through this Angus Council will be preparing an allotments report and food growing strategy in due course. This in conjunction with the open space strategy is likely to identify the capacity of existing provision within Angus.

New development cannot resolve existing pressures but there may be circumstances where additional allotment space is required as a result of new development. Additional guidance/advice may be published on these locations and where a contribution may be sought once this work is undertaken.

Core Paths

Policy PV3 Access and Informal Recreation of the Angus Local Development Plan sets out a requirement for new development to incorporate, where possible, links to green space, path networks, and the wider countryside.

All sites will require to ensure that suitable linkages are provided through their site. Where appropriate links should be provided to the core paths network as set out in the Angus Core Paths Plan 2010 www.angus.gov.uk/leisure_sport_and_countryside/outdoor_access/angus_core_paths_plan

In some specific circumstances a contribution may be required to ensure a linkage between a development site and the core path network or to upgrade a core path where it is likely to form a key pedestrian route. This will be assessed on a case by case basis and in all cases any identified off-site works must be demonstrated to be deliverable in terms of land ownership. Due to the nature of the required works being very specific it has not been possible to identify a standard methodology. However it should be noted that these types of contribution are only likely to be applicable in a limited number of circumstances.

4.2 Education

Contributions are required where a development is likely to place additional pressure on the planning capacity of a primary and/or secondary school and result in a requirement for additional space to be provided. In the majority of cases no single development is likely to result in the requirement for additional infrastructure however cumulative development, particularly in rural areas, can have a significant impact on the requirement for additional infrastructure.

A review of the Angus Council school estate has recently been undertaken which feeds into a 30 year development strategy. However, it is acknowledged that there are a number of current pressures within the school estate therefore a review of these pressures has been undertaken with Schools & Learning colleagues to determine the required mitigation options. A contribution may be required where a school is operating in excess of 80% of the planning capacity of the school and is forecast to have a rising roll. This assessment is based on the recently published School Roll Forecasts.

The School Roll Forecasts factor in sites from the 2018 housing land audit. Where a school is projected to have a falling roll but is projected to be over 80% of the planning capacity then no contribution will be required. However, where a windfall site comes forward that is not identified as an effective site in the housing land audit then a contribution may be required as these sites have not been factored in to the School Roll Forecasts. These will be assessed on a site by site basis.

The School Roll Forecasts will be updated and republished on an annual basis. Where this results in a change to infrastructure requirements Appendix

1 of the guidance will be updated.

Required works to provide additional capacity within a school may include the following types of works:

- ▶ New Build Provision (including investment in other provision to create space in school e.g. pre-school provision);
- ▶ Extension;
- ▶ Reconfiguration;
- ▶ Rezoning

Exemptions

Os 0z 0p W 0r G 0w 0z 0s 0r 0t 0z 0b

~~0r 0s 0z 0b~~

- ▶ Student accommodation;
- ▶ 1 bed units;
- ▶ Sheltered/Supported housing;
- ▶ Holiday accommodation; or
- ▶ Listed building conversions - including any associated enabling development which is the minimum necessary to make the listed building conversion viable.

Where units are provided as affordable housing (and occupancy is controlled by planning condition or obligation) they will also be exempt from Education contributions. Whilst it is acknowledged that this type of development will have an impact on infrastructure capacity this impact will not be offset by mainstream housing. Therefore, Angus Council will mitigate the impact of affordable housing.

Primary Education

The area tables identify the anticipated required mitigation per unit according to the relevant school catchment area.

No of Units x £Cost per unit for relevant catchment = Contribution

The pupil product ratio (number of pupils anticipated from a new housing unit) for primary education provision is 0.23 pupils.

A breakdown of the cost per residential unit for the identified mitigation is provided below:

New Build Provision: £6,802 per unit

New build provision may include the development of an additional school, replacement school which includes additional capacity or new build nursery provision to free up capacity at a school.

Extensions: £6,802 per unit

Extensions normally include the development of additional classroom space and changes to some minor core facilities such as toilets etc.

The cost of an extension is very much dependent on the nature of the extension and site characteristics such as topography.

Reconfiguration: £5,108 per unit

Reconfiguration works are likely to involve internal works to a school to create additional capacity, for example altering the use of a room within the school or alterations to provide additional teaching space.

Rezoning: Case by case basis

In a very limited number of cases a rezoning exercise to amend the school catchment areas may be required. This would normally be required if there is capacity within a nearby school and it is not practical to undertake works to the zoned school. A contribution towards the additional transport costs, for up to a 13 year period and resultant rezoning exercise may therefore be required. The costs for school transport vary in respect of the number of pupils and route so these costs would be determined dependent on the proposed solution.



Secondary Education

The area tables identify the anticipated required mitigation per school catchment area per unit.

The required contribution is identified on a per unit basis therefore: No of Units x £Cost per unit for relevant catchment = Contribution The pupil product ratio (number of pupils anticipated from a new housing unit) for secondary education provision is 0.17 pupils.

The school rolls at Forfar Academy and Monifieth High School will be monitored with possible contributions for an extension or rezoning required. A guide of the identified rates per unit is provided below.

Extensions:	£6,041 per unit
Reconfiguration	£4,530 per unit
Rezoning:	Case by case basis



4.3 Community Facilities

To ensure existing community facilities are maintained, as supported by Policy TC8 Community Facilities and Services, any development which will have an impact on the capacity of existing services and community facilities may be required to provide a developer contribution towards the provision of additional capacity.

This would be through reconfiguration of existing facilities, extension of existing facilities, and in some instances new build provision. Angus Council do not expect any contributions being required to extend to mitigating any current deficit in provision, and will only seek contributions to effectively mitigate the impact of a proposed development.

Community facilities may include::

- ▶ Sports Centres and Swimming Pools;
- ▶ Museums and Galleries;
- ▶ Libraries;
- ▶ Theatres and Halls;
- ▶ Healthcare Facilities; and
- ▶ Country Parks

In many cases no additional provision is proposed or the impact of a development on a specific facility is likely to be very minimal, due to the wide catchment area and is unlikely to result in a requirement for additional capacity.

Any contributions for community facilities are therefore likely to focus on sports centres and swimming pools. At present Angus Alive are looking at an extension to Arbroath Sports Centre to provide additional capacity as a result of new development and therefore this is the only project identified in the area tables.

Further requirements will be established on a case by case basis, therefore, early engagement with Council services and Angus Alive is advised to establish any requirement for mitigation as a result of a proposed development.



4.4 Transportation

Contributions towards transportation infrastructure are supported by Policy DS2 Accessible Development which sets out a requirement for intervention where proposals are likely to involve significant travel generation. Mechanisms for mitigation first and foremost are likely to be through the provision of the required infrastructure by the developer. However, where this is not possible, such as a requirement for off-site works, contributions may be required. The full impact of the development on the local transport network will be considered when establishing mitigation levels. The consideration of the mitigation will be carried out by the Council's Roads Service who will establish the particular requirements for the development.

As each development site is likely to have differing requirements, measures will be assessed on a site by site basis, based directly on the mitigation required as a result of the proposed development.

Therefore, early engagement with services is encouraged to establish likely requirements of each proposed development.



There may be a need for works on the wider strategic roads network. Whilst a single development is unlikely to result in a requirement for these interventions they will generally be required as a result of cumulative development across the Angus area. At present further work on programming and costing for these interventions is ongoing and therefore further guidance/advice may be produced in due course.

The sustainability of development proposals is also a key consideration and therefore contributions may be required towards safer routes to school, strategic active travel routes and towards the amendment, extension or creation of additional public bus services for up to a 5 year period. The detail of the contribution required will be specific to the proposed service provision and therefore will be assessed on a case by case basis in discussion with the Council's Transport Team and local operators.



4.5 Affordable Housing

To ensure the delivery of affordable housing, as supported by Policy TC3 Affordable Housing, residential development on qualifying allocated, opportunity and windfall sites will be required to provide a 25% affordable housing contribution of the total number of units proposed.

The Council will look to deliver this affordable housing requirement innovatively and flexibly through one or a mixture of the following mechanisms:

- ▶ On-site provision
- ▶ Off-site provision
- ▶ Commuted sum
- ▶ Serviced Plots
- ▶ Transfer of Land

The form of affordable housing can include the following:

- ▶ Social Rented
- ▶ Shared Equity
- ▶ Discounted Value
- ▶ Mid-Market Rented

The Local Housing Strategy (LHS) indicates that there is significant demand for smaller properties with 64% of waiting list applicants requiring a one-bedroom home, whilst around 19% of waiting list applicants have medical, disability or support needs. In addition, older people (pensionable age) account for 21% of waiting list applicants.

To address the changing needs of the population, the LHS has set a target to deliver at least 20% of new affordable housing to meet a particular need such as amenity or supported housing, with at least half of these (i.e. 10% of new supply) to full wheelchair standard.

Early discussions with the Housing Strategy Team, prior to submitting a planning application is strongly encouraged to ensure particular needs are met.

In order to assist anyone looking to develop in Angus, information on affordable housing is available on Angus Council's website at www.angus.gov.uk/housing/information_for_developers

How the affordable housing requirement could be met should ideally have already been discussed with the Housing Strategy Team both prior to and during the planning application process.

The specific detail of how the affordable housing requirement will be met should be discussed and agreed between the Council and the developer during determination of the planning application. This agreement will be known as the Delivery Package, which comprises the details of the affordable housing, affordable housing land or commuted sum. Further details on what the Delivery Package should also include are contained within Annexe B.



Appendix 1

The table below summarises where developer contributions will be sought from different types of development in Angus:

Type Of Obligation	Residential	Affordable Housing	Commercial
Education	✓		
Open Space	✓	✓	✓
Allotments	✓		
Core Paths	✓	✓	✓
Affordable Housing	✓		
Transport	✓	✓	✓

Appendix 1 - Area Tables

The following tables and maps set out the indicative level of developer contributions per secondary school catchment area:

ARBROATH AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment areas of Arbroath Academy and Arbroath High School.

SECONDARY EDUCATION

Arbroath Academy

Sufficient capacity to accommodate planned development in the catchment area

Requirement = £Nil

Arbroath High School

Sufficient capacity to accommodate planned development in the catchment area

Requirement = £Nil

PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Hayshead	Contact Schools & Learning	Monitor
Inverbrothock	Contact Schools & Learning**	Monitor
Inverkeilor	Extension	£6,802 Per Unit
St Thomas	Contact Schools & Learning	Monitor
Timmergreens	Contact Schools & Learning**	Monitor
Warddykes	Extension	£6,802 Per Unit

**School operating at over 80% capacity, however school is projected to have a falling roll, therefore no contribution required. Where a windfall site comes forward that is not identified as an effective site in the housing land audit then a contribution may be required as these sites have not been factored in to the School Roll Forecasts. These will be assessed on a site by site basis.

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Arbirlot, Carmyllie, Colliston, Friockheim, Ladyloan and Muirfield

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

A contribution towards an extension to Arbroath Sports Centre will be required from all qualifying residential development in this catchment area, excluding affordable housing units. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

£745 Per Unit

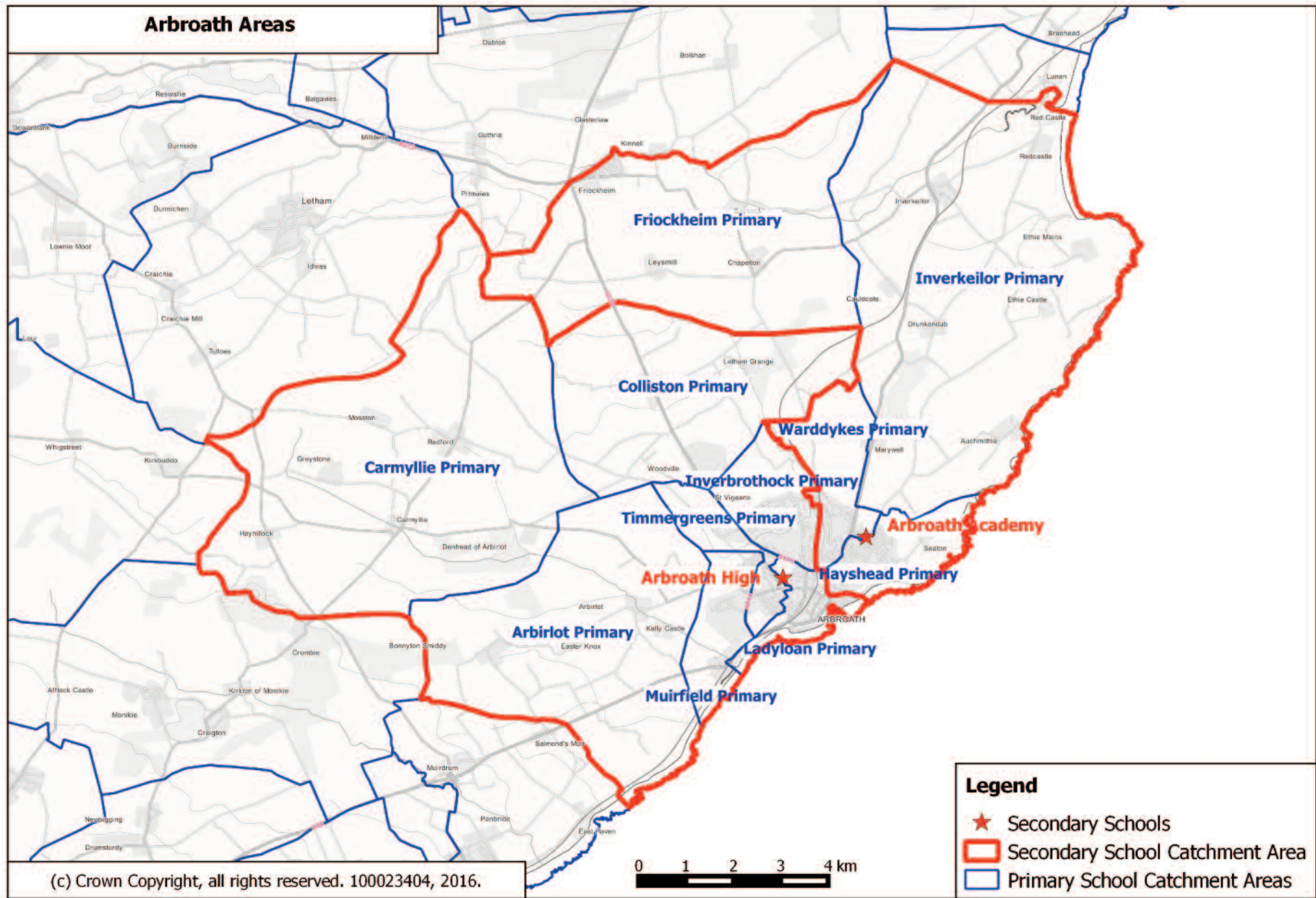
Transport

Contributions towards transportation infrastructure are supported by Policy DS2. Mitigation is likely to be through the provision of the required infrastructure by the developer. However where this is not possible, such as a requirement for off-site works, contributions may be required.

Requirement = Contact Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed. This will include all allocations as identified in the Arbroath Main Town Centre and Rural Service Centre of Friockheim, and any other windfall proposals.



BRECHIN AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment area of Brechin High School.

SECONDARY EDUCATION

Brechin High School

A new Brechin Community Campus was opened in February 2016.

Sufficient capacity to accommodate planned development in the catchment area.

Secondary Education Requirement = £Nil

PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Edzell	Extension	£6,802 Per Unit
Maisondieu	Extension	£6,802 Per Unit

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Aberlemno, Andover, Lethnot, Stracathro and Tarfside

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

There are currently sufficient community hall and sports facilities to accommodate new development in the Brechin area. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

Requirement = Monitor

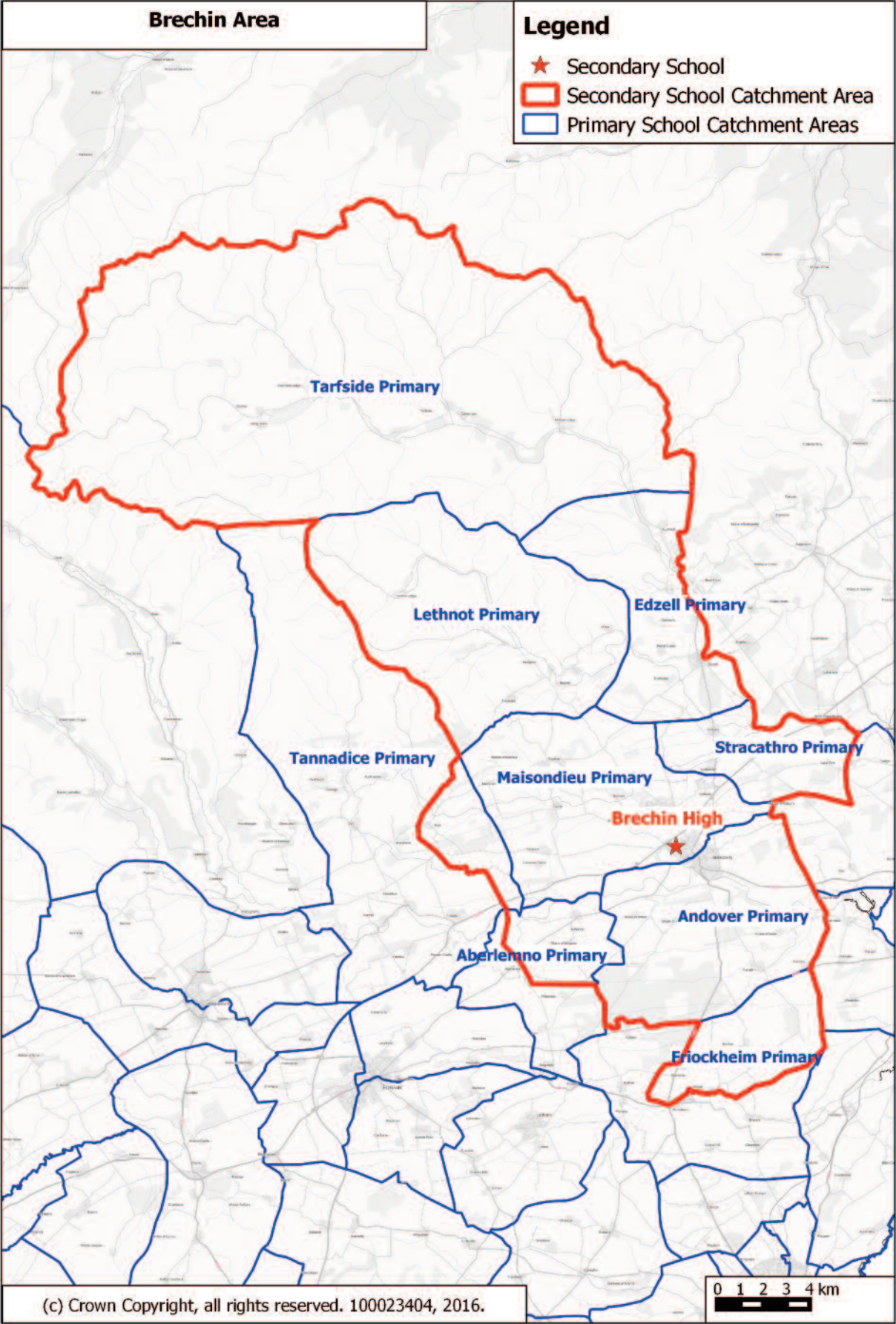
Transport

Contributions towards transportation infrastructure are supported by Policy DS2. Mitigation is likely to be through the provision of the required infrastructure by the developer. However where this is not possible, such as a requirement for off-site works, contributions may be required.

Requirement = Contact Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed.



CARNOUSTIE AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment area of Carnoustie High School.

SECONDARY EDUCATION

Carnoustie High School

Sufficient capacity to accommodate development in the catchment area

Secondary Education Requirement = £Nil

PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Burnside	Contact Schools & Learning**	Monitor
Carlogie	Contact Schools & Learning	Monitor
Monikie	Contact Schools & Learning *	Monitor
Woodlands	Extension (or reconfiguration)	£6,802 Per Unit

*Contributions required may be sought for development of 2 or more units within the Monikie catchment to address cumulative impact

**School operating at over 80% capacity, however school is projected to have a falling roll, therefore no contribution required. Where a windfall site comes forward that is not identified as an effective site in the housing land audit then a contribution may be required as these sites have not been factored in to the School Roll Forecasts. These will be assessed on a site by site basis.

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Newbigging

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

There are currently sufficient community hall and sports facilities to accommodate new development in the Carnoustie area. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

Requirement = Monitor

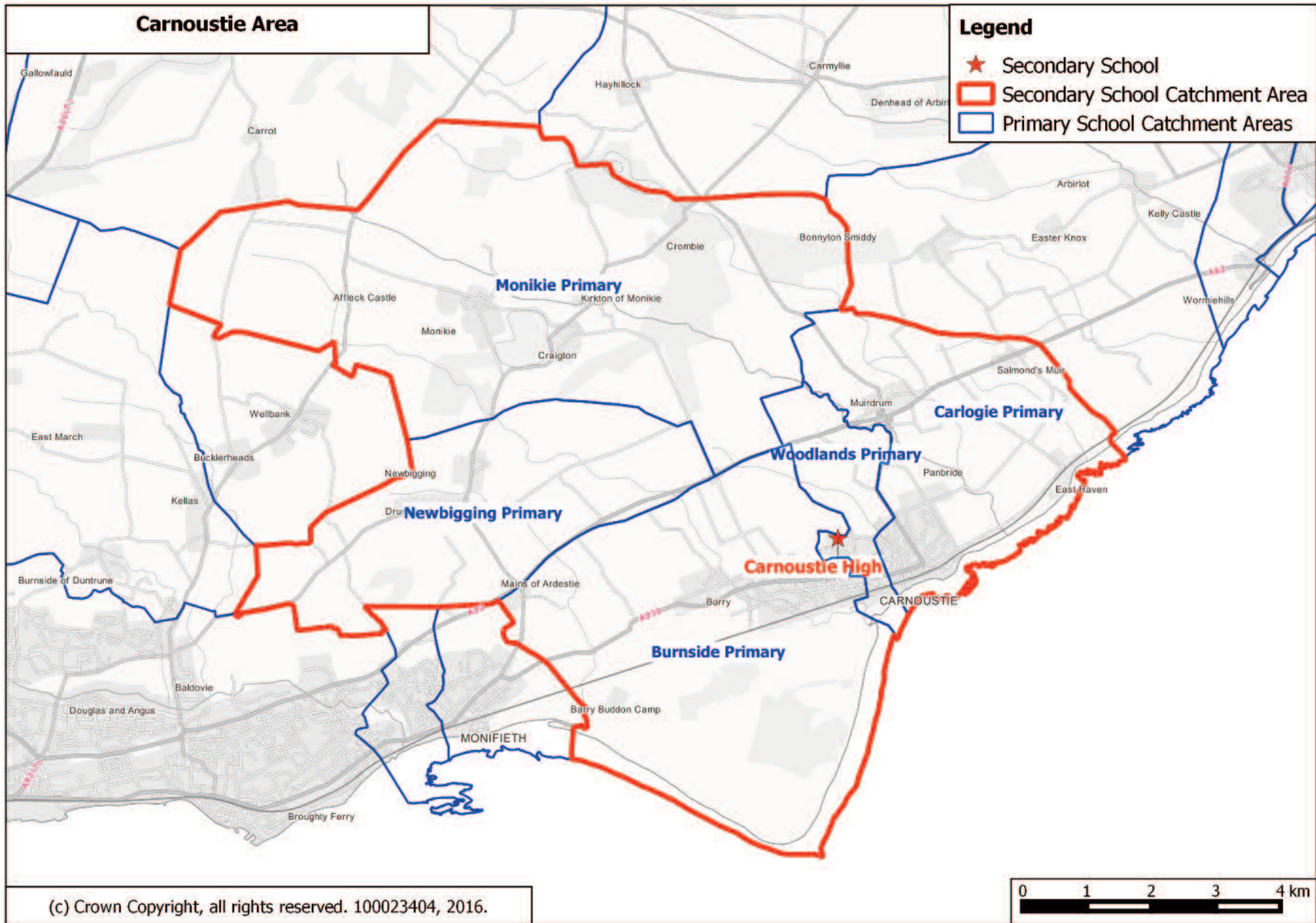
Transport

Contributions may be required towards an upgraded A930 Carlogie Road to improve linkages between the eastern end of Carnoustie and the A92 as set out in Policy C8.

Requirement = Contact Angus Council Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed.



FORFAR AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment areas of Forfar Academy.

SECONDARY EDUCATION

Forfar Academy

Forfar Community Campus was officially opened in December 2017. Capacity was provided on a like for like basis from the previous Forfar Academy.

Future contributions may be required to address capacity issues. The roll and capacity of Forfar Academy will be monitored and contributions towards an extension may be sought dependent on the scale and phasing of development.

Contribution =	Contact Schools & Learning**	Monitor
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Please contact Schools & Learning for development proposals in the catchment area.

PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Langlands	Contact Schools & Learning**	Monitor
Letham	Contact Schools & Learning**	Monitor
Strathmartine	Contact Schools & Learning**	Monitor
Strathmore	Contact Schools & Learning	Monitor
Whitehills	Contact Schools & Learning**	Monitor

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Inverarity and Tealing

**School operating at over 80% capacity, however school is projected to have a falling roll, therefore no contribution required. Where a windfall site comes forward that is not identified as an effective site in the housing land audit then a contribution may be required as these sites have not been factored in to the School Roll Forecasts. These will be assessed on a site by site basis.

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

There are currently sufficient community hall and sports facilities to accommodate new development in the Forfar area. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

Requirement = Monitor

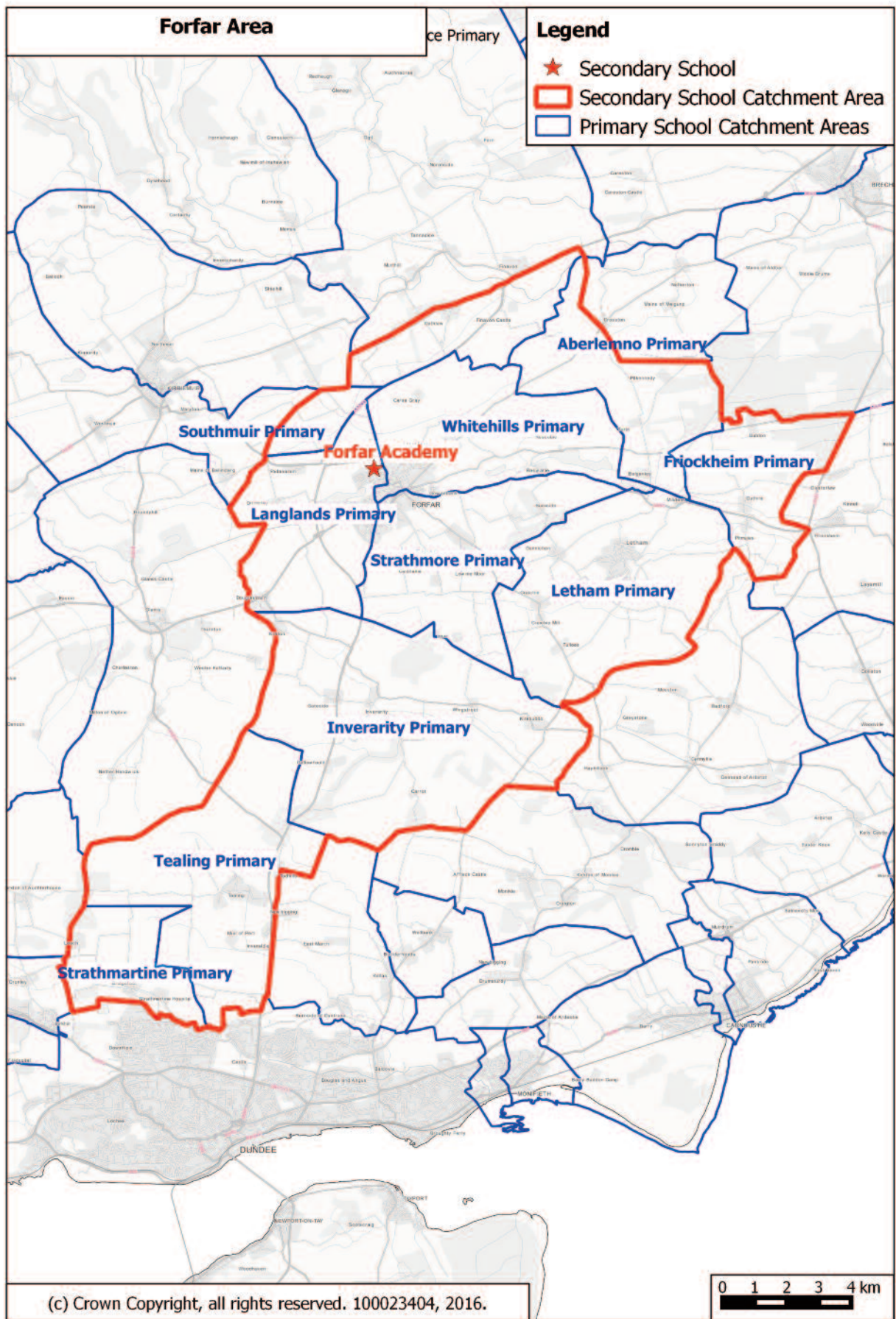
Transport

Contributions may be required towards the A90 junctions (including Lochlands) on the strategic road network and the West Port junction on the local road network where impacts are identified.

Requirement = Contact Transport Scotland & Angus Council's Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed.



KIRRIEMUIR AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment areas of Webster's High School.

SECONDARY EDUCATION

Webster's High School

Sufficient capacity to accommodate planned development in the catchment area

Requirement = £Nil

PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Glamis	Contact Schools & Learning* **	Monitor
Northmuir	Contact Schools & Learning	Monitor

*Contributions required may be sought for development of 2 or more units within the Glamis catchment to address cumulative impact.

**School operating at over 80% capacity, however school is projected to have a falling roll, therefore no contribution required. Where a windfall site comes forward that is not identified as an effective site in the housing land audit then a contribution may be required as these sites have not been factored in to the School Roll Forecasts. These will be assessed on a site by site basis.

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Airlie, Cortachy, Eassie, Isla, Newtyle, Southmuir and Tannadice

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

There are currently sufficient community hall and sports facilities to accommodate new development in the Kirriemuir area. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

Requirement = £Nil

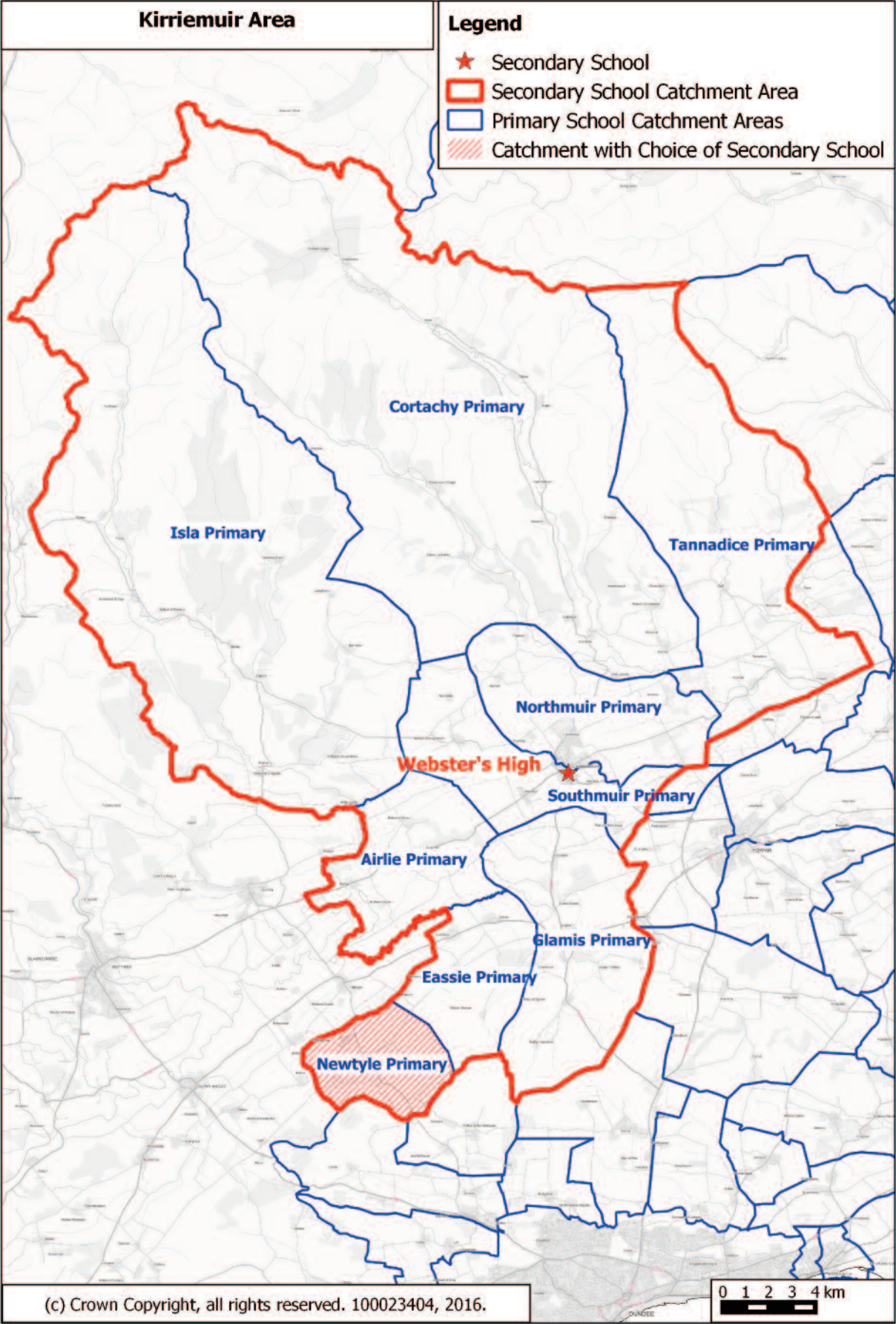
Transport

Contributions towards transportation infrastructure are supported by Policy DS2. Mitigation is likely to be through the provision of the required infrastructure by the developer. However where this is not possible, such as a requirement for off-site works, contributions may be required.

Requirement = Contact Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed.



MONIFIETH AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment areas of Monifieth High School.

SECONDARY EDUCATION

Monifieth High School

Contributions will be required to address capacity issues

Contribution =	New Build (or extension)	£6,041 Per Unit
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PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Grange	Contact Schools & Learning	Monitor
Liff	Contact Schools & Learning	Monitor
Mattocks	Extension	£6,802 Per Unit
Murroes	Contact Schools & Learning*	Monitor
Seaview	Contact Schools & Learning	Monitor

*Contributions required may be sought for development of 2 or more units within the Murroes catchment to address cumulative impact.

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Auchterhouse, Birkhill and Newtyle

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

There are currently sufficient community hall and sports facilities to accommodate new development in the Monifieth area. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

Requirement = Monitor

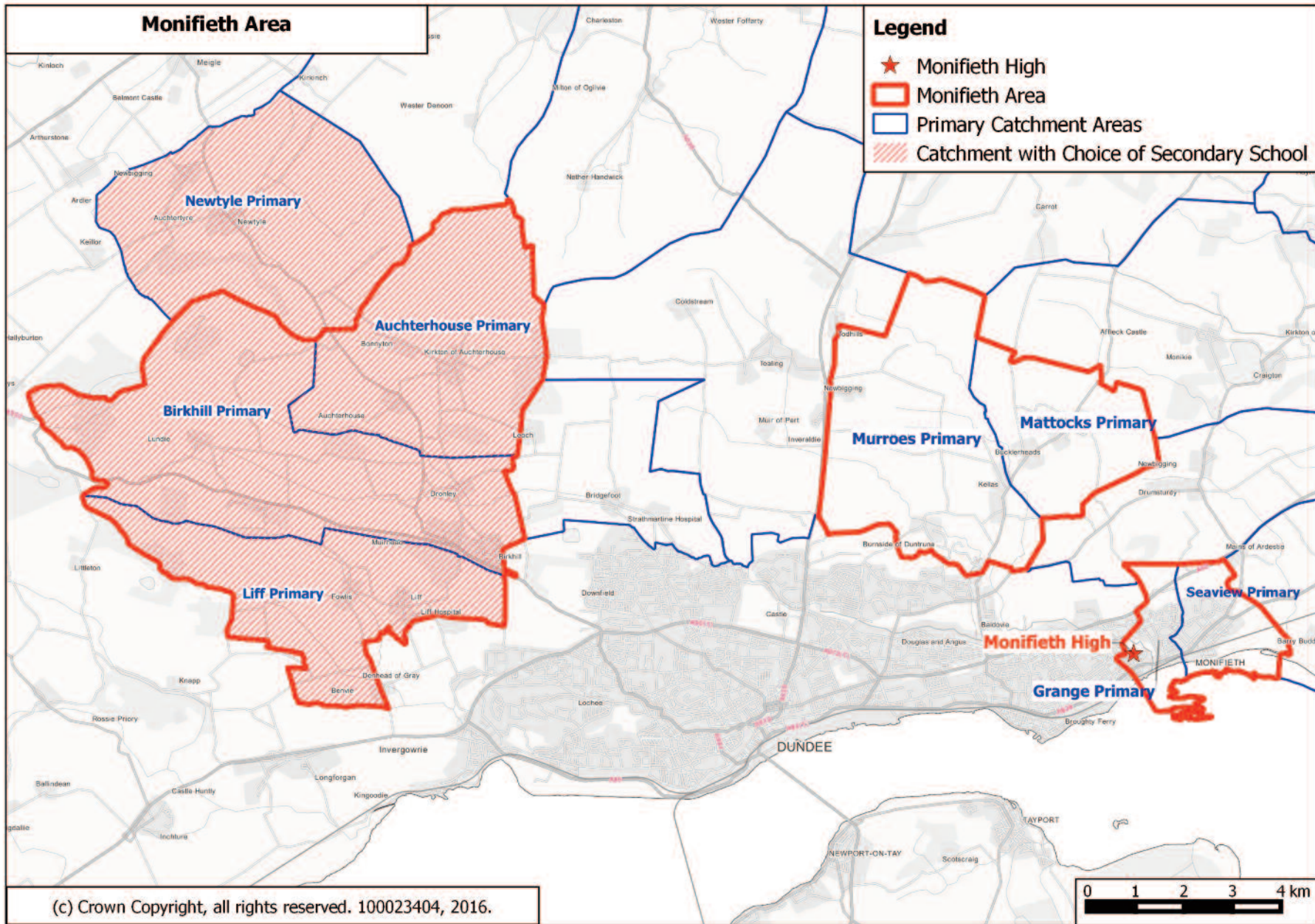
Transport

Contributions towards transportation infrastructure are supported by Policy DS2. Mitigation is likely to be through the provision of the required infrastructure by the developer. However where this is not possible, such as a requirement for off-site works, contributions may be required.

Requirement = Contact Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed



MONTROSE AREA

This includes the geographical area as set out in the map below and covers all areas within the catchment areas of Montrose Academy.

SECONDARY EDUCATION

Montrose Academy

Sufficient capacity to accommodate development in the catchment area:

Secondary Education Requirement = £Nil

PRIMARY EDUCATION

Development which falls within the following primary school catchment areas will require to make a per unit contribution as identified below:

Lochside	Contact Schools & Learning**	Monitor
Rosemount	Contact Schools & Learning* **	Monitor
St Margaret's	Contact Schools & Learning	Monitor

*Contributions required may be sought for development of 2 or more units within the Rosemount catchment to address cumulative impact.

**School operating at over 80% capacity, however school is projected to have a falling roll, therefore no contribution required. Where a windfall site comes forward that is not identified as an effective site in the housing land audit then a contribution may be required as these sites have not been factored in to the School Roll Forecasts. These will be assessed on a site by site basis.

The following primary schools have sufficient capacity to accommodate development in the area, therefore development in these catchments will not require to contribute towards Primary Education:

Borrowfield, Ferryden and Southesk

Open Space

In the majority of developments provision will require to be met on site. 60.75sqm per residential unit equivalent is required in accordance with Policy PV2.

Park and Amenity Open Space (if reqd)	£518 Per Unit
Informal and formal play space (if reqd)	£490 Per Unit

Community Facilities

There are currently sufficient community hall and sports facilities to accommodate new development in the Montrose area. In relation to other community facilities the position will be monitored and developer contributions sought where appropriate.

Requirement = Monitor

Transport

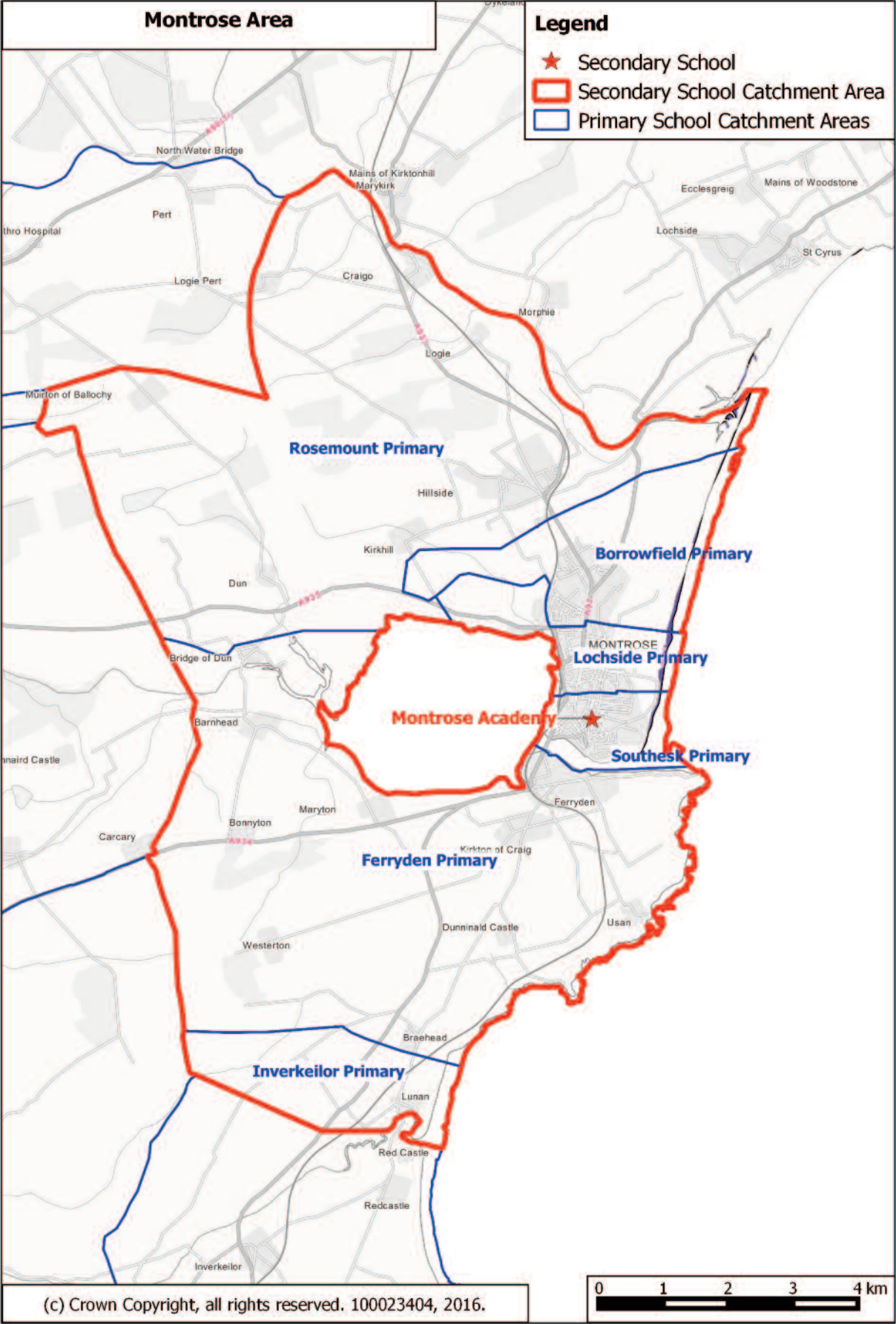
Contributions may be required towards the A90/A937 junction at Laurencekirk on the strategic roads network where impacts are identified. The detail of this is currently being worked on.

Requirement = Contact Transport Scotland

Contributions may also be required towards the signalisation of the A92 North Esk/Broomfield Road junction. Requirement = Contact Roads Service

Affordable Housing

A 25% affordable housing contribution on all qualifying allocated, opportunity and windfall sites will be required from the total number of units proposed.



ANNEXE A: AFFORDABLE HOUSING

1 Angus Local Development Plan: Affordable Housing Requirements

The TAYplan Housing Needs and Demand Assessment (2013) HNDA identified a substantial need for affordable housing across the four Angus Housing Market Area's (HMAs). Meeting the identified need by the HNDA would require between 30% and 65% of all new houses to be affordable. This is not considered reasonable or a viable response to delivering affordable housing to meet the assessed need over the Local Development Plan period (2016-2026) in Angus.

The approach set out in Policy TC3 Affordable Housing is consistent with Scottish Planning Policy (SPP) and PAN 2/2010 Affordable Housing

& Housing Land Audits. Policy TC3 applies to the four Angus Housing Market Area's and seeks to secure the delivery of affordable housing equivalent to 25% of the total number of residential units proposed on all qualifying allocated and windfall residential sites.

Table 1 sets out the affordable housing need in Angus derived from the TAYplan HNDA (2013) and the potential delivery of affordable housing based on application of a 25% benchmark.

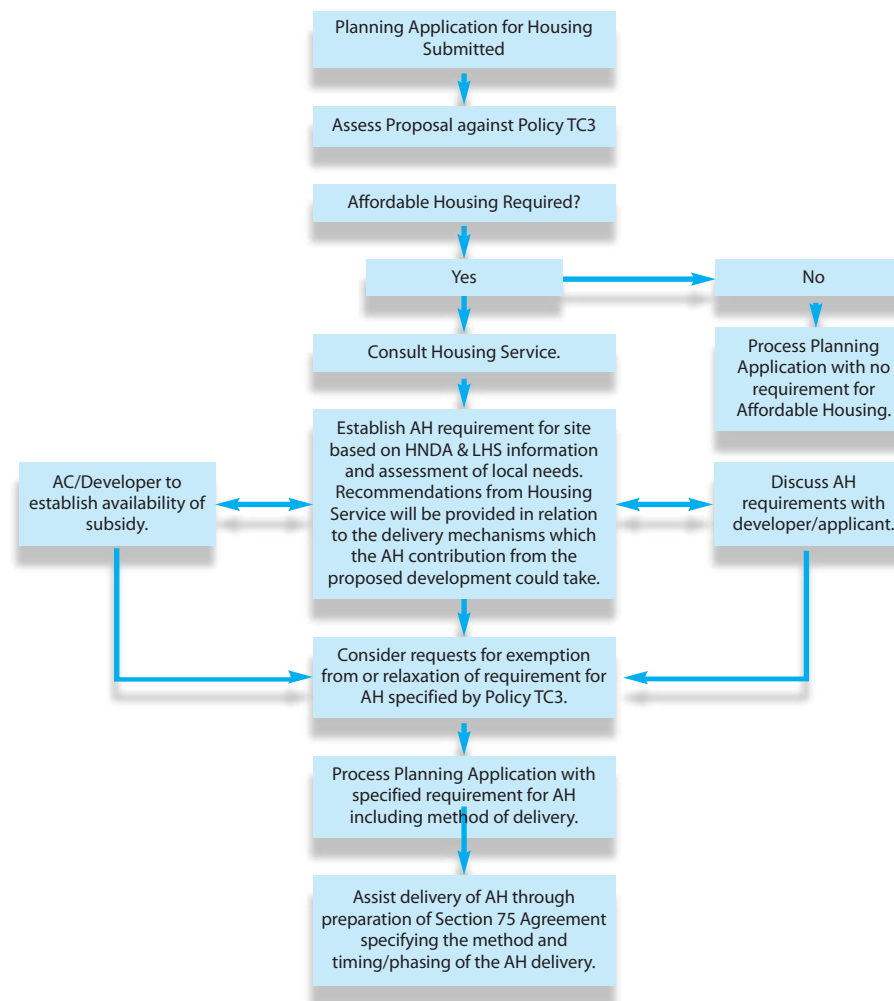
Table 1: Affordable Housing Calculated Contribution – based on 2013 TAYplan HNDA Outputs

HMA	A Affordable Housing Requirement 2016-2026			B Total New Build Requirement (NBR) 2016-2026		C % of NBR required to meet AH Requirement	D SPP benchmark 25%	E Potential AH Delivery No. Units 3
	Social	Intermediate	Total	2016	2026			
North	320	110	430	912		47.1	25	228
East Angus	400	120	520	834		62.4	25	209
South	220	90	310	986		31.4	25	247
West Angus	310	110	420	1007		41.7	25	252
ANGUS	1250	430	1680	3739		44.9	25	935

1 Annual Average Affordable Housing Need applied over the 2016 – 26 LDP period. Source: TAYplan HNDA 2013, Table 1, page 219.
 2 Remaining New Build Requirement for 2016 – 26 period. Source: Proposed Angus LDP, Table 1 (column c), page 20.
 3 Potential Affordable Housing Units if the full 25% of the New Build Requirement is delivered.

The Local Housing Strategy (LHS), alongside the Angus Local Development Plan, is a key component for securing delivery of appropriate affordable housing. The LHS is produced every five years and provides a focus for cross-sector strategic planning for housing and housing related services across all tenures. Through the LHS, Angus Council set priorities for the type, size and location of affordable housing. These priorities reflect the need to deliver affordable housing which best meets identified housing need.

2. Planning Application Procedure



3 Delivery Package

The agreement specifying the detail of how the affordable housing requirement will be met between the Council and the developer, known as the Delivery Package will comprise specific details of the affordable housing, affordable housing land or commuted sum. In addition, the Delivery Package should also include the following information:

- ▶ Development Start Date;
- ▶ Affordable Housing requirement as a percentage of the total number of Units to be built;
- ▶ Form of Affordable Housing to be provided;
- ▶ Phasing and timescales for delivery of Affordable Housing, Affordable Housing Land and/or Commuted Sum and details relating to the transfer of Affordable Housing Land or Affordable Housing to an SHP;
- ▶ The location or locations for the Affordable Housing and Affordable Housing Land;
- ▶ Property type or types and size or sizes;
- ▶ Relevant Modest Income level (this will be as specified by the Council);
- ▶ Discounted Price;
- ▶ Social Housing Provider; and,
- ▶ Any arrangements to pay a Commuted Sum by instalments.

4 Calculation of Commuted Payments

Worked Example:

- 1 Planning application is received for a development of 20 houses in the Arbroath area.
- 2 Number of units of affordable housing required is determined as (5).
- 3 Agreement has been reached that the requirement for this site is to be met via a commuted sum. (Commuted Payments may involve part of the provision for some sites).
- 4 The commuted payment is calculated using the following formula:
Number of affordable housing units x benchmark land value of affordable housing plot

Example:

The current benchmark land value (at 30 January 2018) of an affordable housing plot in the East Angus Housing Market Area is (£26,000). The calculation would be:

$$5 \text{ affordable housing units} \times £26,000 = £130,000$$

Please note that the benchmark land value is reviewed annually at the end of June. The land value is calculated by the District Valuer Services (DVS) which is independent of Angus Council. The amount you pay is dependent on what the commuted sum figure is at that time. The most up-to-date figures can be found on Angus Council's website at:

www.angus.gov.uk/housing/information_for_developers/commuted_sums

5 Eligibility Priority Groups

Social Rented Housing

The SHP will allocate social rented housing to applicants in accordance with their allocation policy.

Housing for Sale

Where units are being developed for sale, the units will be available to households falling within the Priority Client Group.

Mid-Market Rent

Where units are being developed for mid-market rent, the units will be available to households falling within the Priority Client Group. The units shall be occupied solely by the household and their immediate family and by no other persons unless Angus Council agrees otherwise in writing.

Non-Eligible Groups

The following individuals and groups/organisations will not be eligible to purchase affordable housing:

- 1 Individuals who will use a property as a second or holiday home.
- 2 Private companies or institutions.
- 3 Private landlords including individuals seeking to purchase a property which they will subsequently let out.

GLOSSARY

BCIS All-in Tender Price Index

An index of the variation in the price of building and construction.

Commercial Development

Development consisting of Use Classes 4, 5 & 6 which directly relate to employment uses.

Commuted Sum

A sum of money determined by the Valuation Office as being payable in lieu of the provision of a Serviced Plot for the relevant type of Affordable Housing.

Delivery Package

The agreement between the developer and Angus Council of the Affordable Housing, Affordable Housing Land or Commuted Sum to be delivered.

Developer

Person or company developing the land either by change of use or erection of building/s.

Developer Contributions

Financial or in kind mitigation towards infrastructure needed to make development acceptable in land use planning terms.

Development

Defined and qualified by the Town and Country Planning (Scotland) Act 1997 as the carrying out of building, engineering, mining or other operations in, on, over, under land, or the making of any material change in the use of any building or other land.

Development Viability

A site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken.

Discounted Value

Units available to a Priority Client Group household who can purchase a unit at a discounted price from the Owner. The discounted price should not exceed a sum affordable by those on a Modest Income.

Extension

Additional space created to an existing facility to provide additional capacity.

Gross Floor Area (GFA)

The floor area based on the overall dimensions of the building (s); including the thickness of external walls, the floor area of roof structures such as lift or tank rooms, and covered parking, servicing and other ancillary, but excluding floor area completely or mainly below ground level.

Holiday Accommodation

Also refer to Tourist accommodation: includes hotels, guest houses, new build bed and breakfast accommodation, caravan and camping sites, wigwams, yurts, huts, bunkhouses and self-catering cottages, chalets and cabins.

Indexation

A technique to adjust income payments by means of a price index, in order to maintain the purchasing power of the public after inflation.

In Kind Contribution

Delivery of required infrastructure or services by the developer (can be either on site or off site), thus negating the requirement for a financial contribution to the Council towards such provision.

Interests on Revenue Balances (IROB)

An amount earned by Angus Council on its interest bearing bank account.

Mid-Market Rented

Units let on Short Assured Tenancies or Private Residential Tenancies at a discounted rent. The rent payable must not exceed the relevant Local Housing Allowance level at the time of the first let. Thereafter, rents may increase annually provided they do not exceed the median point of the relevant private sector market rent level.

Modest Income

The sum which represents a fair gross income level for a single or a joint income household within Angus as determined by Angus Council.

New Build Provision

Creation of any new facility required, by means of providing additional structures

Off-site provision

The provision of a contribution on another site within the ownership of a developer.

On-site provision

The provision of a contribution on the site proposed for development.

Priority Client Group

Households, including single people, with i) a demonstrable housing need ordinarily resident or having their principal place of work within the Housing Market Area(s) and earning a gross household Modest Income; or ii) households with a demonstrative housing need but not otherwise falling within category i) above.

Pupil Product Ratio

Average level of pupils per household created within each new dwellinghouse.

Reconfiguration

Internal re-arrangement of space to create additional capacity without the need for an extension.

Rezoning

An exercise undertaken to re-map existing education catchments. This may be beneficial in ensuring education provision is re distributed without the need for physical intervention.

Serviced Plots

Plots of ground that are ready for development and which have within or adjacent to their respective boundaries, all necessary service pipes, cables, wires etc, normally required for a dwelling house (including gas, electricity, water, foul and surface water drainage and telephone).

Shared Equity

Units available to a Priority Client Group household who can own between 51% and 80% of that unit. The price of a 51% equity share of the unit should not exceed a sum affordable by those on a Modest Income. The Owner shall retain a share in ownership of that unit of between 20% and 49%. The household pays no rent to the Owner in respect of the share retained by the Owner.

Sheltered/Supported Housing

Accommodation which serves the needs of an older demographic or for those with support needs.

Social Housing Provider (SHP)

A social landlord listed on the Register of Social Landlords (RSL's) or other body having similar objects (including the Authority acting in the capacity of housing authority) as approved in writing by Angus Council.

Social Rented

Units provided at an affordable rent which is owned, managed, leased or otherwise provided by a Social Housing Provider.

Student Accommodation

Accommodation of a temporary nature, utilised during education establishments term times only to serve the needs of students.

Sui Generis Use

Sui generis is a term which refers to a use in a class of its own. Any use not falling within a specific class defined in the The Town and Country Planning (Use Classes) (Scotland) Order 1997 falls within this category.

Transfer of Land

Land transferred to a Social Housing Provider (SHP) at a value relating to its end use for affordable housing, the value being subject to agreement between the developer and the SHP.

Transport Infrastructure Improvements

Necessary Transport Infrastructure required to support development by means of improvements to existing or new road network, either on.

Use Class 4 Business

Defined in the The Town and Country Planning (Use Classes) (Scotland) Order 1997 as a Use:

- (a) as an office, other than a use within class 2 (financial, professional and other services);
- (b) for research and development of products or processes; or
- (c) for any industrial process;

being a use which can be carried on in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Use Class 5 General Industrial

Defined in the The Town and Country Planning (Use Classes) (Scotland) Order 1997 as a Use for the carrying on of an industrial process other than one falling within class 4 (business).

Use Class 6 Storage or Distribution

Defined in the The Town and Country Planning (Use Classes) (Scotland) Order 1997 as a Use for storage or as a distribution

Contacts

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