

APPENDIX 2: RESPONSES TO CONSULTEE COMMENTS ON THE DRAFT DEVELOPER CONTRIBUTIONS AND AFFORDABLE HOUSING SUPPLEMENTARY GUIDANCE 2023

Respondent	Respondent Number
Homes for Scotland	DCSG001
Guild Homes	DCSG002
DJ Laing Homes	DCSG003
Voigt Architects	DCSG004
Nature Scot	DSCG005
Sport Scotland	DSGC006
Forfar Community Council	DSCG007
Network Rail	DCSG008
Sunnyside Residents and Hillside, Dun and Logie Pert Community Council	DSCG009

Theme	Summary of Response	Council's Response	Proposed Changes to the Supplementary Guidance	Respondent Number(s)
General Comments	The respondent is of the view that the removal of the assessment of potential planning obligations required by settlement area that was provided in Appendix 1 of the 2018 Adopted SG makes this Draft SG less useful in predicting contributions being sought. Seeks the return of this assessment in the finalised SG before submission to Scottish Ministers for examination.	The Council has removed this section in the 2023 Draft SG to simplify the document. Assessment of requirements has reduced the instances for where contributions are identified and therefore to continue to include this section would have resulted in repetition. The remaining text is clear about where contributions may or may not be required.	The Council is of the view that no change is required to be made to the SG.	DCSG001
	The document is too technical.	The views of the respondent are noted; however, the subject matter of the SG is a technical process and therefore, much of it requires to be technical in nature. However, the Council is of the view that it has written the document in an easy-to-read manner as can be done a technical document.	The Council is of the view that no changes required to be made to the document.	Anonymous
	The respondent raises issues with how the SG applies to ongoing developments at Sunnyside Estate; does it apply to projects in progress; by phase; and are started projects unaffected?	This version of the SG will only apply to those projects that have not been started before the date the SG is formally adopted. All other projects already underway were	No changes are required to be made to the SG as a result of this response.	DSCG009

	<p>The respondent also queries if play areas and core paths should be staged payments if the developer is providing them themselves.</p> <p>The respondent also is of the view that Sunnyside Estate have not fulfilled these obligations due to falling behind schedule. The respondent also raises issues with the state of existing facilities and no new facilities being provided despite a number of homes being built.</p>	<p>assessed with the SG that was in force at that time.</p> <p>The respondent raises a query regarding a site matters which are, unfortunately, outwith the remit of the SG to deal with. This will be addressed directly with the respondent.</p>		
	<p>The respondent welcomes the additional proposals in the SG, especially Health Care and Community Facilities.</p>	<p>The support of the respondent is noted.</p>	<p>No changes are required to be made to the SG as a result of this response.</p>	<p>DCSG007</p>
<p>Calculation of Developer Contributions</p>	<p>The respondents raise issues with how the cumulative impact of smaller developments are addressed.</p> <p>In particular, respondents state that the Council must take responsibility for mitigating the direct and cumulative impact on infrastructure from these sites and that the costs to mitigate the impact of these sites must not be passed on to larger scale developments.</p> <p>The draft guidance should be also made clearer to indicate that the costs for developments of 10 units or more have not been over inflated to</p>	<p>The Council takes into account the cumulative impact of development within Angus, and this is reflected in the annual school roll forecasts.</p> <p>The Draft Angus Housing Land Audit 2023 sets out that smaller developments (below 10 units) deliver around 78 units per annum across all 4 housing market areas. Sites of between 4 units an above are already included within the school roll forecasts. The impact of the remaining development is therefore limited and specific</p>	<p>The Council is of the view that no changes require to be made to the document to address this response.</p>	<p>DCSG001, DCSG002, DCSG003, DCSG004</p>

	<p>cover developments of less than 10 units.</p> <p>The respondent also states that the impact of the smaller, windfall sites still needs to be identified and separated from the calculation of cumulative impacts in order to ensure that the tests in NPF 4 Policy 18 and Circular 3/2012 are met, specifically relationship and scale tests. They are of the view there has been no appraisals published alongside the Draft SG, it cannot be demonstrated that such an allowance has been made by the Council.</p> <p>DMSG002, make similar points to those above, and adds reference to further contributions where "within the original boundary or conterminous where development exceeds 10 units", and is of the view that this statement requires further clarification as it is unreasonable for an entirely unrelated development/developer to be required to make contributions on a site less than 0.5ha or 10 units. They are of the view that if this requirement was included it would fall the tests of developer contributions, and if sites</p>	<p>location difficult to predict. From 2022/23 however the impact of these sites of 1-3 units will also be included based on average completion rates.</p> <p>The contribution rate is based on a floorspace requirement and therefore specific to the impact of that particular development, therefore costs are not over inflated.</p> <p>In response to DMSG002, the Council is content that the SG clearly sets out the circumstances where there will be a requirement for additional units, both within the site boundary or where conterminous boundaries, result in a development which exceeds 10 units. Applications for unrelated development would not fall within this definition.</p>	<p>The Council is of the view that no changes are required to be made to the document to address this response.</p>	
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	<p>are are indeed separate and there have already been contributions taken, then a small stand-alone site should not be required to make contributions.</p> <p>DSG003 supplements the views above by stating Contributions for sites with less than 10 units but over 0.5 ha will impact the viability of a development with such few units.</p> <p>DSCG004 adds to this view by stating they have always found the affordable housing requirement for sites that are over 0.5Ha (but under 10 units) are extremely prohibitive for developing small number of units. We understand requirements where the development is 10 units or more.</p>	<p>With regard to the points made by DCSG003 and DSCG004, NPF4 sets out a requirement for the provision of affordable homes on a site will be at least 25% of the total number of homes. A site in excess of 0.5Ha is considered capable of accommodating 10 units either as an individual proposal or cumulatively and therefore is subject to the same threshold.</p>	<p>The Council is of the view that no changes are required to be made to the document to address these responses.</p>	
	<p>The respondent welcomes a partnership approach as detailed on Page 3 of the Guidance. The applicant suggests how this approach could be strengthened and is of the view that infrastructure requirements should be known with information being made available to support the type, level and location of the financial or in-kind contributions being sought.</p>	<p>The comments of the respondent are welcomed, and the Council will take the advice of the applicant into account when moving forward with the partnership approach.</p> <p>With regard to the comments made on infrastructure requirements, the next Local Development Plan will set out, as far as possible, the known infrastructure requirements,</p>	<p>The Council is of the view that no changes to the SG are required in this regard.</p>	<p>DCSG002</p>

		including the type, level, and location, and how these are expected to be delivered.		
	<p>The respondent raises concerns with Section (i) on page 6 of the document, in relation to extant consents which have not had all conditions discharged, and that a new development for the same site will be subject to assessment for Developer Contributions and suggests that this should be deleted from the SG as it discourages the delivery of housing.</p> <p>They are of the view that where a new application is required to preserve a consent it should not be subject to new developer contributions where no contributions were previously considered necessary and consider this approach to be unreasonable and will have unforeseen significant and detrimental impact on the viability of a development.</p> <p>They are of the view that this SG should be relevant to new planning applications and not existing consents or amendments/ extensions to those consents.</p>	<p>The Council is of the view that unless the existing consent is varied through the Section 42 process, then any new planning application for the site will be required to be determined on its own merits in line with Sections 25 and 37(2) the Town and Country Planning (Scotland) Act 1997 (as amended). The new application could alter the previous layout, numbers and another host of material matters and must be assessed in line with planning policy at the date of validation of the planning application.</p> <p>If a previous application was not subject to development contributions, then that does not absolve the new application from providing contributions should they be required by the planning policy at that time and is essential to ensure that the impact of the development is fully considered.</p>	<p>The Council is of the view that the SG adequately covers this matter and that no change is required.</p>	DCSG002

	<p>The respondent is of the opinion that the Council has not stated the circumstances that are likely to lead to an upfront financial contribution and points out that a developer cannot identify when these are to be sought due to the lack of impact assessment or appraisal being provided as part of this SG. They seek further detail on this matter.</p>	<p>The Council would like to point out that the remittance of upfront payments is at the discretion of the applicant unless a Section 75 legal agreement (\$75) is required to secure affordable housing, or where an applicant wishes to phase the payment of the required contribution.</p> <p>This is set out in page 6 of the text in the Supplementary Guidance where it states, "Where an upfront payment is the preferred method".</p>		DCSG001
Return of unspent developer contributions	<p>The respondent is of the view that all refunds should be automatic and should not require the developer to apply or pay for the costs associated with administering the refund. The SG requires to clarify this.</p>	<p>As set out in the draft SG, in the event that a contribution has not been committed within 10 years of the final payment, the applicant or their agent will be refunded, along with the interest accrued.</p> <p>To ensure refunds are processed appropriately, the onus is on the applicant or their agent to make any request.</p> <p>There is no charge to the applicant to process refunds.</p>	<p>The Council is of the view that the SG adequately covers this matter and that no change is required.</p>	DCSG002

<p>Indexation of Contributions</p>	<p>Both respondents raise issues with indexation in terms of accuracy with the indexation point on the BCIS All-in Tender Price Index and that Indexation of contributions text should confirm that index linking can bring the cost down as well as up.</p>	<p>The Council accepts the view of the respondent that the indexation point should be Q2 2023 as 383 as the Council's Property Services team have confirmed that it is now 383.</p> <p>The Council accepts that the SG does not reference that costs can go up and down as a result of indexation. Therefore, to add clarity and certainty to the SG, additional text has been added which advises indexation can go up or down.</p>	<p>Amend the text on Page 7 to provide indexation as of April 2023 at 383.</p> <p>Amend the text on Page 7 to demonstrate indexation can go up or down.</p>	<p>DCSG001 and DCSG002</p>
<p>Development viability</p>	<p>The SG should make it clear that a development viability appraisal does not require to only be undertaken by the district valuer and that is also unfair that the developer has to pay for a district valuer to independently validate the appraisal that the developer has already paid an appropriately qualified professional to undertake. There is also no need for the district valuer to cross-check the development statement as it has been produced by an appropriately qualified professional.</p>	<p>The Council would like to point out that the SG refers to the development viability statement being prepared by an appropriately qualified professional.</p> <p>The District Valuer will only be consulted where it is considered appropriate to provide an independent opinion. Where this is required, the Council should not be expected to meet the costs of verifying a development proposal. This is consistent with the approach taken by other Local Authorities in Scotland.</p>	<p>The Council is of the opinion that no changes need to be made to the SG in this regard.</p>	<p>DCSG001, DCSG002 and DCSG003</p>

<p>Open space, bio-diversity enhancement, surface water, core paths & green infrastructure</p>	<p>The respondents points out that the Draft SG states that a financial contribution towards open space will only be sought where this cannot be provided on site. This will also depend on the needs of Council's Open Space Strategy. The respondent states that the evidence-base for these costs set out in the SG have not been provided. Further evidence needs to be provided to verify that these costs are in accord with NPF 4 Policy 18 and Circular 3/2012.</p> <p>A financial contribution towards allotments is also noted in the Draft SG and both the Adopted SG and the Draft SG state that further guidance will be published stating where a contribution will be required. It is not stated if this will be statutory supplementary guidance. As this will set out financial contribution rates or their mechanism for calculation, this additional guidance must form part of a statutory Supplementary Guidance.</p> <p>The respondent quotes extracts of Circular 3/2012 in regard to this matter and that this needs to be set out in statutory supplementary</p>	<p>The Council wishes to point that whilst the costings for providing open space have been index linked in August 2018, the methodology set out in the previously adopted 2016 Guidance has not changed. The guidance continues to provide detail from the Council's Landscape Services Team on how the rates have been calculated and where the rates have been derived.</p> <p>Work is ongoing and will identify where mitigation is required to support future development. As part of this work an up-to-date methodology will be provided, and if applicable, the supplementary guidance will be updated to reflect any proposed changes.</p> <p>Page 10 of the guidance sets out the detail and existing methodology for open space contributions, and how the contributions have been derived. These have been maintained in the updated guidance in recognition of the ongoing work being undertaken.</p>	<p>The Council is therefore of the view that no changes are required to be made to the SG.</p>	<p>DCSG001</p>
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	<p>guidance and subject to public consultation.</p>	<p>As set out in the guidance, ongoing work as part of the Angus Food Growing strategy, is being undertaken to evaluate current and future capacity and demand of allotments. This will be reflected in the next Local Development Plan.</p>		
	<p>The Respondent states that the Table on Page 4 includes core paths as a type of obligation. The NPF4 definition of Infrastructure First makes no reference to core paths. The matter of core paths is covered by amenity open space, and it is unreasonable to require a separate developer contribution.</p> <p>The Respondent is also of the view that core paths, where relevant to a site, are part of the wider open space contribution and do not require a separate developer contribution.</p>	<p>The Council would like to point out to the respondent that Policy 20 of NPF4 makes clear reference to the safeguarding of access rights and core paths, and the encouragement of new and enhanced routes for access linking to wider networks. As NPF 4 should be considered in its entirety, core path contributions, where required, remain consistent.</p> <p>Any requirement for a contribution to core paths would be specific to the particular circumstances of the sites. In the majority of cases provision would require to be addressed on site however in exceptional circumstances a contribution may be require to improve a linkage to the path network or</p>	<p>Amend reference in the document from Core Path to Path Networks.</p>	<p>DCSG002</p>

		<p>improvements to off site paths to account for the increased use.</p> <p>Based on the information from the respondent amending the reference to path networks rather than core paths would align better with the more general wording of Policy PV3 and Policy 20 of NPF4.</p>		
	<p>The respondent advises that the SG should incorporate requirements for blue infrastructure as well as green infrastructure. They go on to state that the net biodiversity gain as per NPF 4 requirements is still emerging but recommend that this supplementary guidance is updated to reflect this as it comes to light. In order to deliver these ambitions, it will be important to clearly set out what is expected from developers, for example through providing specific guidance and quantifying the developer contributions.</p> <p>Furthermore, they would like to see more emphasis on the expectations from developers in terms of quality of infrastructure to provide greater certainty. For example, graphics demonstrating best practice or links</p>	<p>The SG has only been revised to reflect the updated position in relation to the education estate in Angus. Although minor amendments have been made to other aspects of the guidance, it is not possible to future proof the guidance further in terms of biodiversity net gain as there is no guidance on how to do that in Scotland.</p> <p>Therefore, and with respect, the Council is of the view that is an unreasonable recommendation to make at this time and would point out to the respondent that the Transitional Arrangements for Development Planning note a date that Supplementary Guidance documents will no longer be allowed to progress</p>	<p>The Council is of the view that no changes to the SG is required to be made at this time.</p>	<p>DSCG005</p>

	<p>to further guidance (such as the Developing with Nature guidance) could be included to make it as simple and clear for developers to access and thus deliver high quality natural infrastructure.</p>	<p>and be adopted for. Therefore, this is the last changes to Statutory Supplementary Guidance that can be made.</p> <p>A number of strategies are underway to include an open space strategy and blue & green Infrastructure study which include embedded biodiversity principles. This will be used to establish a baseline and highlight where interventions may be required, and how the next Local Development Plan will address developer contributions.</p> <p>Any further changes to this SG in the future would be as planning guidance which has less weight in development management considerations, therefore, any further changes to the SG will be considered carefully by the Council, but these may be best addressed through the preparation of the next Local Development Plan,</p>		
	<p>The respondents raise issues in relation to allotments and the need to evaluate current + future capacity</p>	<p>As set out in the SG, work as part of the Angus Food Growing strategy, has been undertaken</p>	<p>The Council is of the view that no changes to the SG is</p>	<p>DSCG002 and DSCG003</p>

	<p>+ demand have to be finalised and shared to provide comment. However, DSCG002 considers that the provision of allotments may be a Council ambition, but it is not considered a legitimate developer contribution as it is unclear how they meet the six tests of developer contributions set out in NPF 4.</p>	<p>to evaluate current and future capacity and demand of allotments. There are currently no identified requirements and therefore detail will be addressed through the next Local Development Plan.</p> <p>Policy 23 of NPF4 makes clear reference to the provision of community food growing and allotments in creating healthier places. As the document should be considered in its entirety, contributions towards food growing and allotments, where required, remain consistent.</p>	<p>required to be made at this time.</p>	
	<p>The respondent states that each development has its own individual surface water management plan and that an additional developer contribution will impact and restrict future development in areas with water issues which may be the responsibility of other parties/bodies.</p> <p>Offsite works will be challenging and it is also difficult to comment without the methodology. They state in their experience that there are differing views and interpretation of FRA are challenging and that a realistic flood plan and timescale is required.</p>	<p>The Council would like to point out that this is not an additional contribution which has been introduced as part of the work to revise this SG, nor has this changed since the adoption of the 2016 Guidance.</p> <p>As set out in this SG, a financial contribution would be expected in very limited circumstances and will be based on site specific conditions which make it difficult to set out exact requirements in advance.</p>	<p>The Council is of the view that no change is required in this instance.</p>	<p>DSCG002</p>

		A comprehensive Strategic Flood Risk Assessment is currently being developed and will provide a baseline and highlight where interventions are likely to be required.		
Education	<p>The respondent states that the Council has not confirmed how the per-unit rates have been calculated. They note that the per-unit rates are the same as those applied in the 2018 Adopted SG, plus indexation, but state that no explanation of how the costs were calculated is provided in the Adopted SG either.</p> <p>The respondent then goes onto discuss how metrics can be derived from Scottish Futures Trust (SFT) Metrics and then raises several issues with using them and conclude that the scale of work is highly dependent on the layout of the school. It is therefore unclear how the Council can possibly estimate a generic per-unit rate for a reconfiguration.</p> <p>The respondent then states that applying a charging mechanism is not in accord with the tests of NPF 4 Policy 18 and Circular 3/2012. The use of a charging mechanism fails to demonstrate the link between the financial contribution, the scale of</p>	<p>Specific infrastructure requirements for education infrastructure can be significantly impacted by the scale and rate of development that comes forward across the catchment area. The approach therefore often needs to be responsive to the ongoing assessments that are undertaken. As outlined by the respondent reconfiguration is specific to the school building therefore in order to provide some certainty an indicative cost, based on average costs from similar projects, has been set out in the guidance.</p> <p>The original rates for contributions towards education were based on Scottish Future Trusts (SFT) Metrics. Given the timescale of the plan period and planning of the identified education projects on this basis the decision was taken to</p>	The Council is of the view that no change is required in this instance.	DCSG001

	<p>impact and the mitigation required. This is not in accord with the relationship and scale and kind tests.</p> <p>They are of the view that costs would ideally be derived from a feasibility study for the mitigation required. They state that as the Council has only identified three schools that require financial contributions from development it is not unreasonable to expect that bespoke per-unit rates could have been provided for these schools, derived from Feasibility Studies.</p> <p>They seek further explanation of how the per-unit rates have been derived and should therefore be provided to ensure that the financial contributions sought from this Draft SG are in accord with the tests of NPF 4 Policy 18 and Circular 3/2012.</p> <p>They further state that the type of mitigation, the cost and timing for the proposed works at the three schools should also be provided, along with the expected level of financial contributions expected from development in the catchment areas of these schools.</p>	<p>continue with this approach to provide consistency.</p> <p>As set out on page 7 of the Supplementary Guidance rates set out in the guidance are correct as of April 2023. Contributions will be index linked to the Building Cost Information Service (BCIS) All-in Tender Prince Index as of April 2023. The index figure in April 2023 is 383.</p>		
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	<p>The respondent points out that contribution rates have increased significantly, even with the cost of materials rising, and require justification.</p>	<p>The Council has index linked contributions to the Building Cost Information Service (BCIS) All-in Tender Price Index as of April 2023. The index figure as of April 2023 is 383.</p> <p>While build rates have risen significantly, to provide certainty within the current plan period, we have maintained the current position with indexation applied to relevant contributions rates only. This position has been set out in the SG.</p>	<p>The Council is of the view that no change is required in this instance.</p>	<p>DCSG003</p>
	<p>The Respondents raise issue in relation to developers contributing towards infrastructure which has been front funded by the council, and if this meets the policy tests set out in NPF4 & Circular 3/2012</p> <p>A respondent stated that once the peak of the impact has passed, development should not be expected to contribute.</p> <p>A respondent stated that in order to meet the policy tests that retrospective contributions should only be sought from developments in a publicly available impact assessment.</p>	<p>The council is of the view that the guidance continues to meet the requirements of NPF4, in particular Policy 18 Infrastructure First.</p> <p>To ensure that infrastructure to support development is in place, the council may pay this cost in advance. There is an expectation that any additional capacity created within new infrastructure to which development benefits from, would be expected to proportionately contribute towards.</p>	<p>The Council is of the opinion that no changes need to be made to the SG</p>	<p>DCSG001 DCSG002 DCSG003</p>

	<p>Another respondent requests clarification if retrospective contributions would be required.</p>	<p>As part of the work undertaken in monitoring of Developer Contributions, contributions as a result of development towards front funded projects contribute proportionately and will not exceed the cost of new development.</p> <p>The scale and nature of the specific requirement is often dependent on how and the rate in which development comes forward. In determining the specification for an element of infrastructure this would reasonably be expected to take account of all development proposed within the plan and potentially a small allowance for small sites/windfall. The analysis would therefore be set out and referenced in any report to accompany the inclusion of that project within the Capital Plan.</p> <p>This is applicable to applications for allocated and windfall sites and will be considered as part of the assessment of a planning application. This will not be</p>		
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		<p>applied to any applications retrospectively which have already been assessed, unless a subsequent application is submitted which would be subject to assessment based on the circumstances of the time.</p>		
	<p>In relation to a school forecast to operate in excess of 80% capacity, with an upward trajectory which results in it exceeding 100% a respondent, provided support to the additional clarification in the text. However, they also suggest that a timeframe for exceeding 100% is required.</p> <p>Another respondent states that the 80% occupancy level is capable of accommodating additional pupils and should therefore be removed.</p>	<p>The council is of the view the timeframe for exceeding the 100% is based on the published School Roll Forecasts. The School Roll Forecasts show forecasted levels over a 5 year period, and this would be the basis of establishing whether there was a sustained upwards trajectory with results in meeting or exceeding 100%.</p> <p>The 80% threshold ensures there is recognition that changes to the school estate take time to plan and deliver. It would not therefore be reasonable to have a higher figure, as this would not allow the authority time to plan and amend the school estate in response to increased demand in an area as a result of proposed development.</p>	<p>The Council is of the opinion that no changes need to be made to the SG.</p>	<p>DCSG001 and DCSG002</p>

		A contribution is only required for schools which are forecast to exceed 80% with an upward trajectory which will result in a school reaching or exceeding 100%. Where a school exceeds 80% capacity but is not forecast to exceed 100% no contribution will be required.		
	The respondent points out that contribution rates have increased significantly, even with the cost of materials rising, and require justification.	<p>The Council has index linked contributions to the Building Cost Information Service (BCIS) All-in Tender Price Index as of April 2023. The index figure as of April 2023 is 383.</p> <p>While build rates have risen significantly, to provide certainty within the current plan period, we have maintained the current position with indexation applied to relevant contributions rates only. This position has been set out in the SG.</p>	The Council is of the view that no change is required in this instance.	DCSG003
	The respondent states that the guidance refers to the School Roll Forecasts as a basis for evaluating where a contribution was required, and was currently unable to locate this on the council's website.	Annual School Roll Forecasts are currently being updated and will be made available as advised in the Supplementary Guidance on finalisation.	The Council is of the view that no change is required in this instance.	DCSG001

	<p>The respondent states that Costs appear to be based on the cost exercise undertaken for the schools which require additional capacity and are identified specifically in the guidance – confirmation is needed that for other schools which reach capacity costs will be identified on a case-by-case basis or the costs used in this guidance will be index linked (up or down).</p> <p>The respondent then goes onto exemptions and states that the SG indicates that the exemption only applies where 'occupancy is controlled by planning condition or obligation'.</p> <p>They state it is unclear whether this exemption covers all methods of affordable housing delivery, i.e. shared equity units, therefore we suggest the text in brackets is deleted.</p> <p>The exemption for affordable housing should cover all methods of delivery in order to encourage innovation in delivery. Clarification is also required that this exemption will apply to other developer contributions and not just education.</p>	<p>The costs set out in the SG will be applicable to the schools identified, and for any other schools which are forecast to reach capacity in subsequent years where plans to increase capacity are identified.</p> <p>Exemptions towards education contributions extends only to Affordable Housing with a condition or obligation securing the housing as affordable in perpetuity.</p> <p>Without the security of a condition or obligation, there is a risk that the properties do not remain affordable and could benefit from an exemption which otherwise it would not attract. Therefore, it would not be appropriate to include any tenures not secured by either of these mechanisms.</p> <p>The table provided on Page 4 provides clear guidance on the type of contributions Affordable Housing Developments may require to contribute towards. While an exemption is applicable for suitably secured</p>	<p>No changes to the SG are required in this instance.</p>	<p>DCSG002</p>
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		affordable housing towards education, this does not extend to any required contributions for open space, core paths or transport.		
Community Facilities	<p>The respondent assumes that the school/education contribution levels are inclusive of associated school sports facilities. They state that Education campuses provide important community resources in terms of facilities, including for access to spaces for sport and we support community use of this estate</p> <p>They then go onto recommend that any development of a locally derived standard for new provision/developer contributions for indoor and outdoor sports provision should be informed by the findings of an open space strategy and audit, as well as an up-to-date pitches and facilities strategy.</p> <p>They also highlight that new development is likely to result in the requirement for new sports facilities or upgrade to existing facilities in order to enable them to accommodate additional users and recommend the LDP make provision for this.</p>	<p>The school/education levels are specific to education infrastructure. It is recognised that those developed as community campuses provide community sports facility but any requirements are considered separately.</p> <p>The comments of the respondent are noted and are useful in order to aid the preparation of the next Local Development Plan for Angus but are not necessarily applicable to this SG.</p>	<p>The Council is of the view that no changes to the SG are needed in relation to this point.</p> <p>The Council is of the view that no changes to the SG are needed in relation to this points.</p>	DSGC006

	<p>Finally, they advise that sports facilities need should be defined through an assessment of existing sports facilities and what the future sports needs will be and suggest that the findings of any Sports Facilities Strategy work the Council undertake should be used to form an evidence base for planning obligations in relation to sports facilities. We would welcome further consultation on this policy area.</p>			
	<p>The respondents raise similar issues in relation to how healthcare provisions are calculated. DSCG003 states that in the absence of an evaluation on the impact of development and a required methodology, it is difficult to comment. This new additional contribution may impact and restrict future development. If it is in the format of providing or contributing to healthcare facilities how would that be beneficial if there are significant issues with recruitment and retention of professional staff to provide the service?</p> <p>DCS002 states that Fundamentally healthcare is delivered by central government through income tax and</p>	<p>The Council would like to point out that the SG does not currently identify any requirement for development to contribute towards healthcare.</p> <p>Work is ongoing and will identify where there is a requirement to support future development. As part of this work a methodology will be provided and reflected in the next Local Development Plan.</p>	<p>The Council is of the view that no changes are required to be made to the SG in this regard.</p>	<p>DCSG002 and DCSG003</p>

	<p>its delivery is not related to new development. There should be no need to seek developer contributions from developers for healthcare. The respondent states that if this is to remain as contribution further information is required on a host of factors. However, they are of the view that until this information is provided, it is unreasonable to include this as a potential developer contribution. Also, a capacity issue caused by closing health centres elsewhere and transferring patients should also not be rectified by developer contributions.</p>			
<p>Community Facilities and Transportation</p>	<p>The respondent states that no details are provided with regard to how financial contributions will be calculated for community facilities and transport infrastructure, stating that this will be assessed on a case-by-case basis. It is stated that further guidance may be produced for community facilities and impact on trunk roads. As noted with regard to proposed guidance on open space, additional guidance must form part of a statutory Supplementary Guidance as it will set out financial</p>	<p>No requirements for community facilities have been identified in the guidance hence no details are provided.</p> <p>Transport infrastructure will continue to be dealt with on a case-by-case basis and therefore a methodology is not included.</p>	<p>The Council is of the view that no changes to the SG are required.</p>	<p>DCSG001</p>

	contribution rates or their mechanism for calculation.			
Transportation	<p>The respondent requires further detail on the specific requirements on strategic active travel routes would be useful here. They further recommend that there is a standalone section within the Transportation chapter which could set out clear requirements for developers. It should highlight that developers should incorporate high quality, greened active travel connections at every opportunity.</p> <p>They also consider that it would be useful to emphasise the needs for developers to have regard for the Council's green network and take opportunities to create and enhance connections, integrating them with the wider green network.</p>	<p>The Plan includes a number of policy requirements that seek to ensure that development takes account of its setting and wider network and incorporates high quality, greened active travel connections supported by Supplementary Guidance on Design.</p>	<p>The Council is of the view that no changes to the SG are required.</p>	DSCG005
	<p>The response makes general points in relation to the rail network, active travel infrastructure, and point out that new development in the vicinity of stations can have a direct impact upon the railway.</p> <p>While ALDP (2016) is clear that developer contributions may be required to mitigate impact upon the</p>	<p>The Policy wording of DS5 makes specific reference to transport infrastructure. There is no specific reference to rail.</p> <p>It is noted that an assessment can go beyond the Council Roads Service therefore additional text will be included to cover this.</p>	<p>Amend Paragraph 1 under Transportation, page 15 last sentence to: "The consideration of the mitigation will be carried out by the Council's Roads Service, in conjunction with the relevant partners, who will establish the particular requirements for the development.</p>	DCSG008

	<p>railway, the SG is more ambiguous. The guidance states that '[t]he full impact of the development on the local transport network will be considered when establishing mitigation levels'; however, responsibility for the appraisal of mitigation requirements is attributed to the Council's Roads Service only. Furthermore, the potential for developments to impact upon the strategic transport network is considered solely with reference to roads.</p> <p>The respondent requests that the SG be modified to reflect the approach in the ALDP and it should be made clear that the impacts of development should be considered with regard to rail, and that the appraisal of mitigation requirements should be carried out by a suitably qualified specialist</p>	<p>In relation to the specific comment about the impact of residential development on rail infrastructure, this matter will be considered as part of the next local development plan in collaboration with appropriate infrastructure providers, including Network Rail.</p>		
	<p>The respondent welcomes the requirement for developer contributions to fund active travel infrastructure and ask that consideration be given to the integration of stations into new developments to enable multi-modal connectivity; Scotland's</p>	<p>The comments of the respondent are appreciated but are not applicable to this SG. In relation to the specific comment about the integration of new development and railway stations for multi modal connectivity, this is a matter</p>	<p>The Council is of the view that no changes to the SG are required.</p>	<p>DCSG008</p>

	<p>Railway's Sustainable Travel to Stations strategy provides guidance on this. Part of this is the way rail stations should be considered as local hubs when new development or public realm improvement is being planned within 5km, 1km, and 500m to broadly ensure that the closer a person gets to a station, the more people-focused the public realm should become</p>	<p>which will be considered as part of the next Local Development Plan in collaboration with appropriate infrastructure providers including Network Rail alongside the Regional Transport Strategy.</p>		
	<p>Both respondents raise comments in relation to further information. DSCG003 states that work ongoing on the identification, programming and costing for interventions needs to be completed and shared for comment. Developer contributions are necessary but increasing or additional developer contributions, particularly at a time of new regulations, rising material and labour costs, will further impact the development viability and may reduce the number of houses being built when there is already a shortage of housing.</p> <p>DSCG002 state that further information is required on existing transportation capacity and additional needs identified. Until this information is available and there is</p>	<p>The Council would refer the respondent to the SG where it acknowledges that work programming and costings of strategic transport intervention projects is ongoing and, once finalised, further guidance/advice may be produced. Local impacts will continue to be dealt with on a case-by-case basis in line with site specific circumstances.</p>	<p>The Council is of the view that no changes to the SG are required.</p>	<p>DSCG002 and DCSG003</p>

	<p>clarity on how contributions would be calculated it is unreasonable to include this as a potential developer contribution.</p>			
Affordable Housing	<p>The respondent states that no reference is made in the SG to shared ownership or self-build plots.</p> <p>The SG therefore does not reflect the most up-to-date policy position set out in NPF 4 and is therefore at odds with the Council's development planning framework. The SG should be amended to make specific reference to these forms of affordable housing provision.</p>	<p>There is currently no reference to shared ownership or self-build plots within the current SG, the Affordable Housing element is guided by the Housing Needs and Demand Assessment (2022).</p> <p>It is noted shared-ownership and self-build plots should be included; therefore, additional text will be included to cover this.</p>	<p>Amend Paragraph 3 under Affordable Housing, page 17 to include shared ownership and self-build plots.</p>	DSCG001
	<p>In relation to the calculation of commuted sums, the respondent states that the District Valuer, is instructed by Angus Council every year to set the commuted sum based on information provided by Angus Council. As such they consider that the District Valuer is not independent and this guidance should not refer to him/her as such. It is only fair and reasonable to provide the ability for a developer to appeal the valuation and have it referred to an independent arbiter.</p> <p>Further the respondent would like our consultation response to the</p>	<p>As set out in the SG, the land value is calculated by the District Valuer, and is reviewed annually so relevant level is based on the commuted sum figure is based available at that time. The commuted sum relates to the cost of provided serviced land for affordable housing within the relevant housing market area.</p> <p>The role of the District Valuer is to provide impartial and independent valuation and professional property advice to the public sector. They act independently of Angus Council</p>	<p>The Council is of the view that no changes to the SG are required.</p>	DSCG002

	<p>commuted sum dated 17 October 2022 to be reviewed as part of the consultation process for this supplementary guidance as it identifies many areas where we believe the commuted sum valuation process is inconsistent with policy. An email from the DV to Angus Council dated 01 July 2020 outlines how the council could undertake a more inclusive consultation process. We consider the supplementary guidance should ensure this is done. We can provide this email if required.</p>	<p>and provide professional advice across Scotland's Local Authorities.</p> <p>The information provided to the District Valuer is from the Council and its Housing Association partners and includes a cross section of different types of development.</p>		
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