

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 15 AUGUST 2023

DRAFT DEVELOPER CONTRIBUTIONS AND AFFORDABLE HOUSING SUPPLEMENTARY GUIDANCE 2023

REPORT BY ALISON SMITH, DIRECTOR OF VIBRANT COMMUNITIES AND SUSTAINABLE GROWTH

ABSTRACT

This report seeks the approval of a revised draft of the Developer Contributions and Affordable Housing Supplementary Guidance for consultation. This provides further detail on Policy DS5 Developer Contributions and Policy TC3 Affordable Housing within the Angus Local Development Plan 2016. Following the consultation period, the finalised Supplementary Guidance will be submitted to Council for approval to be adopted. On adoption, it will form part of the Angus Local Development Plan 2016.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) Approve the Draft Developer Contributions and Affordable Housing Supplementary Guidance 2023 for a six-week period of consultation;
- (ii) Authorise the Service Leader of Planning and Sustainable Growth to make any appropriate changes to the format, appearance, illustrations, and technical details of the draft document prior to their publication;
- (iii) Agree the consultation arrangements for the draft Supplementary Guidance; and
- (iv) Note that after the consultation period has ended that the finalised Supplementary Guidance will be brought back to Council for approval and adoption.

2. ALIGNMENT TO THE COUNCIL PLAN

- 2.1 This report does not directly contribute to the Angus Council Plan 2023-2028. It will, however, assist with the implementation of the Angus Local Development Plan, which contributes to and fully aligns with the objectives of the Council Plan.

3. BACKGROUND

- 3.1 The first Developer Contributions & Affordable Housing Supplementary Guidance was originally adopted in December 2016. An updated Supplementary Guidance was subsequently adopted in August 2018, to account for the updated 2018 School Roll Forecasts. Applicable rates were also updated in line with relevant indexation, which was necessary to reflect an increase in build costs.
- 3.2 National Planning Framework 4, adopted on 13 February 2023, now forms part of the Local Development Plan, with TAYplan no longer being in existence. The Angus Local Development Plan 2016's policies, which inform the Plan's Supplementary Guidance in this regard, are consistent with National Planning Framework 4.
- 3.3 Transitional guidance issues by the Scottish Government alongside the publication of the new Development Planning (Scotland) Regulations, which came into force on 19 May 2023, allows current adopted Local Development Plan's to continue to adopt Supplementary Guidance for a period of 24 months from this date.

- 3.4 For the information of members, Supplementary Guidance has been repealed going forward by the Town and Country (Scotland) Act 1997 (As amended) within the new style Local Development Plans to be produced under the new Planning System. On adoption of the new Local Development Plan, this Supplementary Guidance and other Supplementary Guidance documents will fall.

4. CURRENT POSITION

- 4.1 Following the preparation of the 2023-2028 School Roll Forecasts, the Developer Contributions & Affordable Housing Supplementary Guidance 2018 requires to be updated to reflect changes in roll projections and any resultant infrastructure requirements. The forecasts have been developed to take account of all planned and committed residential development in line with the Housing Land Audit.

5. PROPOSALS

- 5.1 As a result of the updated School Roll Forecasts amendments have been made within the draft Supplementary Guidance to remove schools where developer contributions will no longer be required, and to highlight which schools continue to require developer contributions. Applicable rates have been updated in line with relevant indexation, to reflect the increase in build costs.

- 5.2 Area tables, previously contained within Appendix 1 of the 2018 Supplementary Guidance, provided information on where contributions were likely to be required (e.g. schools and sports and recreation facilities), have been removed. Limited future capital plans which propose additional capacity mean that the tables are no longer required.

- 5.3 Reference to planned Sports & Recreation works previously identified in the 2018 Supplementary Guidance have also been removed as Angus Alive have indicated that immediate plans no longer include an extension to Arbroath Sports Centre. No future works to increase capacity as a result of development are currently planned; however, as future plans may require mitigation, the text has been amended to allow for this eventuality.

- 5.4 Other minor amendments to text have been made throughout the document to provide additional detail and to provide clarity. A table of these changes has been provided in Appendix 2 for the information of Members.

- 5.5 This Supplementary Guidance, once adopted, will form part of the Angus Local Development Plan 2016. For the information of Members, Supplementary Guidance may only contain further information or detail in respect of the policies or proposals set out in the Local Development Plan. Policy DS5: Developer Contributions sets out what the Supplementary Guidance is to contain in relation to developer contributions and provides further detail and guidance on the implementation of Policy TC3: Affordable Housing.

- 5.6 In terms of consultation, the Council must publicise and consult on the draft Supplementary Guidance. It is proposed to consult with stakeholders and the wider public on the draft Supplementary Guidance for a six-week period. The draft Supplementary Guidance will be made available on the Council's website, and in all Council libraries and ACCESS offices and awareness of the consultation raised to interested parties.

- 5.7 Once the consultation period has ended, the Planning and Sustainable Growth Service will consider any consultation responses and will make any appropriate amendments to the Supplementary Guidance before it is brought back to Council to approve for adoption. Those amendments will also be detailed in the Report to Council, along with details of the representations received.

6. FINANCIAL IMPLICATIONS

- 6.1 There will be limited costs associated with the consultation on the draft Developer Contributions and Affordable Housing Supplementary Guidance 2023 related to printing, advertising, and publishing. These costs will be met from the existing development plan budget.

- 6.2 The changes proposed to the Supplementary Guidance will require a review of existing secured contributions to ensure they continue to meet the relevant policy tests. This work will be undertaken as part of the developer obligations monitoring work.

7. OTHER IMPLICATIONS

Risks

- 7.1 The risks to the council in delay of the adoption and publication of the Supplementary Guidance is a lack of clarity and consistency on the application of policies contained in the Angus Local Development Plan 2016.

8. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment has been carried out and is attached as Appendix 3

9. STRATEGIC ENVIRONMENTAL ASSESSMENT

A pre-screening assessment form was sent to the Scottish Government's SEA Gateway, as the Supplementary Guidance on its own will have no or minimal environmental impacts and that the principal policy as assessed as part of the Strategic Environmental Assessment (SEA) of the Angus Local Development Plan 2016.

10. CONSULTATION

- 10.1 Internal consultation with the Education Service & Housing Strategy Team was undertaken during the preparation of this draft Supplementary Guidance.
- 10.2 Consultation with Angus Alive was undertaken during the preparation of this draft Supplementary Guidance.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

REPORT AUTHOR: KATEY MCKAY
EMAIL DETAILS: ldp@angus.gov.uk

DATE:

List of Appendices:

APPENDIX 1 – Draft Developer Contributions and Affordable Housing Supplementary Guidance
APPENDIX 2 – Table of changes
APPENDIX 3 – Equality Impact Assessment