



Draft Developer Contributions and Affordable Housing Supplementary Guidance (2023)

Part 1: Developer Contributions

DRAFT

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Please see [‘Part 2: Affordable Housing’](#) for further guidance on affordable housing requirements.

1. Introduction

- 1.1 Across Scotland, local authorities are having difficulty maintaining and developing infrastructure in order to keep up with the pressures of new development. Additional funding sources beyond that of the local authority are required to ensure that infrastructure constraints do not inhibit sustainable economic growth. This has been a particular issue in Perth and Kinross where the population grew by 5.3% in the period 2001- 2007. This growth is set to continue with the National Records of Scotland (NRS) population projections indicating that the Perth and Kinross population will increase by 4.5% (6,788 persons) for the period 2016-2026. This exceeds the national average of 3.2% and is the eighth highest growth projection in Scotland.
- 1.2 The increasing population has already placed heavy demands on public sector services and infrastructure capacity. If the population is to rise as the NRS projects, this will have an increasing impact on schools, community and leisure facilities, transport infrastructure and health services. It is unlikely that the growth projected for Perth and Kinross will be evenly spread across the Council area, placing an even higher demand for services and infrastructure in some already constrained areas. This will present significant challenges for the Perth & Kinross Council ("the Council") and its Community Planning partners.
- 1.3 The sustainable development of Perth and Kinross requires the provision of services in appropriate locations to meet the increasing needs of the expanding population. As a result, new investment in infrastructure will be required to keep pace with the increasing needs of an expanding population. Initial estimates suggest that investment exceeding £300 million at current prices is required in public sector infrastructure over the next 25 years in order to support this future growth. Maintaining current assets already places a heavy burden on the Council's budgets, leaving limited resources for investment in increasing infrastructure capacity.
- 1.4 It is neither sustainable nor good planning to wait until capacity is used up and then begin to recognise and address the problem. It will be necessary to analyse current capacity and future demand making the solution the collective responsibility of the Council and developers over the long term. This approach is the most equitable, sharing the cost with all development which places new demand on infrastructure capacity, rather than placing an uneconomic burden on a limited number of developers in later years.
- 1.5 With the population increase of Perth and Kinross driven by in-migration, largely from other parts of the UK, a partnership approach is required between the Council and developers to ensure infrastructure capacity is not to become a major constraint on new development.
- 1.6 Such partnerships have traditionally been facilitated through the use of Section 75 Planning Obligations which have become key mechanisms in the planning system for addressing and for mitigating the impact of new development. Although such obligations have been used to address specific issues arising from individual applications, they can also be used as the vehicle for a developer contribution policy which addresses the general issue of infrastructural requirements and seeks to bring about a fairer sharing of

infrastructure costs.

- 1.7 This Guidance concentrates on the delivery of developer contributions to provide a means to secure contributions towards the provision of on-site facilities necessary in the interests of comprehensive planning, and/or, the provision, or improvement of, off-site facilities and infrastructure where existing facilities or infrastructure will be placed under additional pressure. This Guidance also provides advice and information on the application of the affordable housing policy.
- 1.8 This Guidance should be read in conjunction with Local Development Plan Policy 5: Infrastructure Contributions and Policy 20: Affordable Housing.
- 1.9 This draft Supplementary Guidance was approved by the Council's Environment, Infrastructure and Economic Development Committee for a period of public consultation on 31 May 2023. It is proposed that, following that consultation, it will be submitted to Scottish Ministers for consideration. Following the necessary adoption procedures, the Supplementary Guidance will be adopted as statutory supplementary guidance.

2. Legal and Policy Background

- 2.1 The most widely used legislation for managing developer contributions is Section 75 of the Town & Country Planning (Scotland) Act 1997 (as amended). This section of the act states that:

'(1) A person may, in respect of land in the district of a planning authority-
(a) by agreement with that authority, or
(b) unilaterally,
Enter into an obligation (referred to in this section and in sections 75A to 75C as a "planning obligation") restricting or regulating the development or use of the land, either permanently or during such period as may be specified in the instrument by which the obligation is entered into (referred to in this section and in those sections as the "relevant instrument").'
- 2.2 The most recent Government advice on the use of Planning Obligations is contained in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. Section 75 Planning Obligations enable local authorities to:
 - regulate the sequence of development proposals;
 - achieve off-site infrastructure provision;
 - control the use of land or the nature of an activity carried out thereon;
 - secure the provision of affordable housing;
 - obtain financial contributions towards services or facilities.
- 2.3 In regard to financial contributions, Government advice states that:

"... contributions towards public transport or community facilities may be acceptable provided the requirements are directly related to the development proposal and the need for them arises from its implementation."
- 2.4 It is a legitimate planning objective to utilise Section 75 Planning Obligations to achieve contributions towards the provision of services and facilities within

Perth and Kinross. However, current guidance makes it clear that Obligations should only be sought where they are required to make a proposal acceptable in land use planning terms and that the use of a planning condition is not appropriate. Planning Conditions, including suspensive conditions, will be used wherever possible.

- 2.5 Planning Obligations will only be sought where they meet all of the tests of Circular 3/2012: Planning Obligations and Good Neighbour Agreements:
- 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 be relative 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;
 - reasonable in all other respects.

2.6 Affordable Housing

2.7 The latest research by Perth & Kinross Council reinforces there is a continuing need for affordable housing with significant and ongoing levels of unmet affordable housing needs existing across Perth and Kinross, particularly in the Greater Perth Housing Market Area (HMA).

2.8 Affordable Housing guidance is now set out in [Part 2](#) of this document, to be read in conjunction with this Developer Contributions (Part 1) guidance.

3. **Applying the Guidance**

3.1 The Supplementary Guidance is intended to provide developers in Perth and Kinross with greater certainty of the contributions and affordable housing requirement that will be sought in conjunction with planning applications. It will also provide a more transparent, streamlined, practical, consistent, and accountable approach to the negotiation of developer contributions and affordable housing delivery. On a case by case, basis contributions may be required from new development toward other areas of infrastructure, such as green infrastructure or community facilities, not outlined in this Guidance.

- 3.2 The following principles apply to the application of this Guidance:
- The Guidance will be applied to sites identified in the adopted Local Development Plan and planning applications;
 - The Guidance will not apply retrospectively to sites with full or 'In Principle' planning consent prior to each relevant section of the Guidance coming into effect;
 - Affordable Housing - August 2005;
 - Primary Education - May 2009;
 - Auchterarder A9 Junction - August 2009;
 - Transport Infrastructure - April 2014;
 - The Guidance will not be retrospectively applied to an application already

submitted prior to the Supplementary Guidance being adopted unless a constraint has already been identified which may in the absence of this Guidance have resulted in a recommendation of refusal.

- 3.3 The Guidance will be applied to applications requiring the replacement or refurbishment of a dwellinghouse in the following circumstances:
- Where it has been vacant, and no Council Tax payments have been made within the 7 year period prior to the registration of a planning application;
 - Where it is dilapidated or derelict and would need extensive work, requiring planning consent, to become habitable.
- 3.4 Non-residential buildings are considered to be 'in use' if Non-Domestic rates have been paid in the 12 months prior to the submission of a planning application.
- 3.5 Where applications are submitted for the renewal of planning consent the Guidance will be applied in accordance with Appendix 5.
- 3.6 Where a new proposal replaces an existing development with planning consent the assessment will normally be applied to the net additional development. If a revised full planning application is submitted, or a full application which seeks to alter the number of units specified in an 'In Principle' application which predated the Guidance, as defined in paragraph 3.2, if the application is for a greater number of units then the Guidance will be applied to all net additional units. If a revised full planning application is submitted which seeks to increase the size of a non-residential use, the Guidance will apply to the additional Gross Internal Area. Where an application is made to modify or discharge a planning obligation or a Section 42 application to vary a condition, where the Core Development remains unchanged then any revised Guidance introduced since the original grant of planning consent will not normally be applied but each case will be determined on its own merits.
- 3.7 The Guidance sets out a framework of standard charges and formulae which form the basis for negotiating and securing Planning Obligations. However, in the case of large and/or complex developments contributions may need to be tailored to the particular scheme. This should make pre-application discussions easier and speedier because developers will have greater certainty about how much they will be expected to contribute.
- 3.8 In the case of applications for 'In Principle' planning permission where the development mix 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. For larger proposals subject to a masterplan a contribution requirement may be secured through a legal agreement at the 'In Principle' stage to ensure certainty as the site progresses.
- 3.9 Delayed payment of contributions and affordable housing may be secured through a range of mechanisms as defined in Circular 3/2012 but will normally be by means of a Section 75 Planning Obligation between the Council, the landowner and any other relevant person(s). Such Planning Obligations will need to be registered before planning permission can be issued.

- 3.10 Where contributions and affordable housing commuted sums are to be paid prior to planning consent being issued, this may remove the need for the use of a Planning Obligation. Where a developer is unable to pay the contribution in advance the Council will consider the phasing of the contribution with the development.
- 3.11 Where additional land is needed to facilitate infrastructure improvements, the developer may be required to either provide land on site or sufficient funding to acquire it. This may be offset against other developer contribution requirements.
- 3.12 In some circumstances, the Council may be willing to accept off-site provision on an alternative site. In such cases the details of both sites should be submitted together in order that the overall merits of the scheme can be assessed. The judgement as to whether off-site provision is acceptable will be based on a number of factors including: the desire to achieve balanced communities, the individual site circumstances in terms of location and accessibility.
- 3.13 In some cases, developers will provide the required infrastructure on the site themselves instead of paying the required contributions sum to the Council.
- 3.14 Implementing Infrastructure Capacity Improvements
Providing the necessary infrastructure may require the Council to work in partnership with developers or upfront investment by the Council to be recouped at a later date. For example, a single development that might trigger the need for a new road junction may not in itself generate sufficient funds to meet the full cost of any required work. As it is impossible to build half or part of a junction, it is therefore likely that the Council would have to fund the work. It is therefore appropriate for the Council to request payments from subsequent developments benefitting from that investment until its costs have been recovered.
- 3.15 Development Viability
Developers are expected to take the requirement for developer contributions and affordable housing into account in their financial appraisal prior to land deals and commercial decisions being taken. It is acknowledged that, in some cases, there may be abnormal development costs which were unknown at the time the site was purchased. In such circumstances, where the developer can demonstrate and clearly justify that there are exceptional costs, which render the development of the site unviable as originally proposed it will be required to demonstrate this to the Council's satisfaction through the submission of a 'Development Viability Assessment'. Only in very exceptional circumstances where there are excessive, previously unknown, abnormal costs will it be likely that the Council will agree to reduce or give exemption from the requirement to developer contributions or affordable housing. As such, it is anticipated that the submission of a Development Viability Assessment will be the exception rather than the rule. Standard development costs such as demolition works, retaining and ground works, landscaping, archaeological investigations, drainage works, site purchase, site servicing and flood prevention works will not normally be accepted as abnormal costs. Abnormal costs should be reflected in the purchase price of land and in this respect, the developer will be asked to demonstrate that abnormal costs were not known at the time the site was purchased.

3.16 The Development Viability Assessment should be submitted at the earliest opportunity. All Viability Assessments' must be carried out by an independent practitioner and suitably qualified chartered valuation surveyor at the developers' expense.

A Viability Assessment must include, where applicable;

- Information of land values paid for the site or where no recent land transaction has taken place the Market Value (with supporting evidence and assumptions made);
- Anticipated land sales values of sites to be sold on, such as medical centre, elderly persons care homes etc. (i.e. Not residential sites);
- Plans;
- Schedules of housing mix (Market and Affordable) including type, size and numbers. Gross/Net area schedule for build cost/value analysis;
- Details of S.75 proposals and specifications, as appropriate;
- Confirmation of S.75 assumptions and status of discussions with the Council;
- Design and Access statement (if applicable and available);
- Detailed appraisal (current costs/values) and cash flow;
- Explanation of financial assumptions;
- Explanatory note on all appraisal assumptions;
- QS's detailed cost budget on externals, infrastructure and abnormals;
- Build specification;
- Detailed breakdown of end sales values for market residential elements (with supporting evidence);
- Programme (incl. construction and sales start/end for each phase);
- Rents and yield assumptions for all commercial elements (with supporting evidence);
- Assumptions on all grant funding and (where appropriate) evidence of transactions/negotiations with RSL's;
- Analysis of affordable housing provision and compatibility with prevailing policy requirement

Once a Development Viability Statement is received by the Council it will be independently reviewed by the District Valuer Service (DVS) or an alternative third party advisor agreed by, and acting on behalf of the Council. This will be carried out at the developers expense with costs determined on an individual basis. The requirement for independent verification of Viability Assessments will only be removed where the time and cost associated with this process is disproportionate to the amount of developer contributions required. Each case will be determined by the Council on its own merits. The outcome of the Viability Assessment review will not be binding on the Council but may inform any recommendation to the Conveners of the relevant Committees and local area Councillors.

3.17 The sensitive nature of some financial information is acknowledged and therefore where requested the content of the Assessment will remain confidential between the applicant and named officials within the Council, independent assessor and the Conveners of the Relevant Committees. The position regarding statements and the Freedom of Information (Scotland) Act 2002 means should they need to be available to the public, they will be redacted with all figures and commercially sensitive wording blanked out. The

statements will then be presented to the developer for agreement, prior to being made available for publication on the Public Access portal on the Council website. Only in very exceptional circumstances where there are excessive, previously unknown, abnormal costs will it be likely that the Council will agree to reduce or give exemption from the requirement to developer contributions or affordable housing. As such, it is anticipated that the submission of a Development Viability Statement will be the exception rather than the rule.

3.18 Accountability

Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for. Annually, a statement will be published on the Council's website with a summary of the total contributions received for each area of the Guidance and what they have been spent on. Eligible costs for expenditure will include funding for three Officer Posts to assist in the implementation of the Developer Contributions and Affordable Housing policies. Each account will be audited through the usual internal audit procedures.

3.19 All accounts are ring fenced for meeting the particular infrastructure requirement. Each section of this Guidance will set out the parameters for the use of funds, identifying the type of use to be made and the geographical area in which they can be spent. Where a contribution has been made developers will be able to reclaim any money not invested in the infrastructure it was required after the following time periods for date of payment to the Council:

- Primary Education – 10 Years;
- Auchterarder A9 Junction – No return of contributions;
- Transport Infrastructure – 10 Years;

Developers will have 12 months in which to reclaim any contribution. Where contributions are returned, interest will be made payable at 0.25% below the Bank of Scotland base rate.

3.20 Phasing of Payments

Where a Planning Obligation is entered into, applicants have the option to phase payments over the lifetime of a development. The Council will set out a phasing schedule of contribution payments through the assessment of the planning application which is to be used when completing legal Planning Obligations. The acceptance of this phasing will speed up the completion of Planning Obligations. It should be noted that developers are not bound by this protocol, but where a bespoke agreement is required; discussions should be entered into at the outset of the submission of a planning application so as not to delay the processing of the Planning Obligation. Where a Planning Obligation is entered into the contribution requirement will typically be index linked.

4. Primary Education and New Housing Development

4.1 Introduction

The following Supplementary Guidance applies over the whole local authority area of Perth and Kinross.

4.2 This Guidance sets out the basis on which Perth & Kinross Council will seek to

secure contributions from developers of new homes towards the cost of meeting primary education infrastructure improvements necessary as a consequence of development.

4.3 The NRS 2016 based population projections indicate that Perth and Kinross has the eighth highest growth rate across all of Scotland. With a high proportion of the existing primary school estate currently working at or near capacity, projected school roll increases may result in the need to replace or expand primary schools within Perth and Kinross in addition to the construction of a number of additional primary schools in the Strategic Growth Areas. To ensure that primary infrastructure capacity does not become a major constraint on new development a partnership approach is required between the Council and developers.

4.4 Principles of the Guidance

The Guidance will be applied to new housing in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school has been operating at over 80% for 5 out of the previous 7 years and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. Where the Council has funded an increase in Primary School capacity to meet the needs of new development contributions may be required from future development until a proportionate cost of the school improvements is received. This position will be reviewed annually.

4.5 The following key principles will apply:

- Proposed residential dwellings of two or more bedrooms, along with consents for the change of use from or replacement of sheltered accommodation, or for conversions from alternative uses to residential where the units comprises two or more bedrooms, will make a full contribution;
- Proposed one bedroom apartments, where it is clear that no additional rooms could be used as bedrooms, will not be required to pay a contribution. A one bedroom apartment can consist of the following rooms, sitting room, kitchen, bathroom, single bedroom; Proposed ancillary accommodation linked to an existing dwellinghouse will not be required to pay a contribution;
- Proposed extension of a single bedroom dwelling to create residential units of two or more bedrooms will not be required to make a contribution if the existing dwelling has been occupied as a single bedroom dwelling for the 7 year period prior to the registration of a planning application. Where this 7 year exemption is not met then the contribution requirement will be assessed on an individual basis;
- Affordable & Council housing will not be required to pay contributions. Affordable Housing is as defined in section 7 of this Guidance;
- Developments of 20 units or less in the Perth City Centre Zone as defined

in Appendix 4 will not be required to make a contribution. Where a proposal is for 20+ units then the contribution requirement will be assessed on an individual basis;

- Applications for dwellings which are not likely to place an additional burden on the existing schools, for example, student accommodation linked to a College/University or holiday accommodation would not be expected to make a contribution;
- Sheltered housing may not be required to pay a contribution. The proposed Use Class in line with the Town and Country Planning (Use classes) (Scotland) Order 1997 will be used in the determination of the requirement. Proposals which fall under Use Class 8: Residential institutions will be exempt. Proposals which fall under Use Class 9: Houses will be determined on an individual basis.

4.6 Developers Funding

All developer contributions will be paid into a fund to facilitate the education provision needs in Perth and Kinross. The costs of education provision vary between each individual projects. There is a need to look at the school estate in its totality, as a constraint within one primary school catchment area can, on occasions, be resolved by either the creation of a new school elsewhere or the expansion of an adjacent primary school. Where possible, contributions will be invested within the relevant primary school's catchment area (including denominational schools where they exist). Where it is not possible to invest in the same area, the Council reserves the right to invest the contributions received within the corresponding secondary school catchment areas to help alleviate the capacity issue. For the purpose of this Guidance, the four Perth non-denominational secondary catchment areas will be treated as a single catchment area.

4.7 Applying the Guidance

Where a development proposal includes replacement or refurbishment of existing houses, the education contributions Guidance may not apply to all units. The test will be whether the proposal will effectively create additional residential units which were not available as houses previously. The guidelines are set out under paragraph 3.3.

- 4.8 Where a dwellinghouse has been subject of change of use and consent is sought to revert back to residential use a full contribution will be required. The exception being, if the change of use from residential was implemented within the 7 year period prior to the registration of a planning application to revert back to residential use, in such cases a contribution will not be required.

4.9 Determining Contribution Levels

In order to provide a clear picture of expectations and to ensure parity of contribution across areas of need, it is considered that a formula based on the average number of children per household and the average cost of creating additional primary school capacity would be appropriate. This introduces both a demographic and construction cost variable. The rate may be revised annually to include indexation based on BCIS General Build Cost Index.

- 4.10 Appendix 1 sets out in which primary school catchments a contribution will be

required. This list will be revised annually.

4.11 Developer Contribution Rates per Dwelling

Type of Dwelling	Contributions
1 Bedroom Dwellinghouse	No Contributions Required
Sheltered Housing	Determined on an Individual Basis.
Affordable Housing	No Contributions Required
2+ Bedroom Dwellinghouse	£6,300

4.12 Calculation of Contributions

- Cost per pupil - £23,334
- Pupil Product Ratio - 0.27

- Total Contribution per House
- £23,334 X 0.27 = **£6,300**

5. Auchterarder A9 Junction Improvements

5.1 Introduction

The following Supplementary Guidance sets out the basis on which Perth & Kinross Council will seek to ensure contributions from developments within the Auchterarder and wider Strathearn housing market area towards meeting the cost of delivering the A9 Junction Improvements that are required in the interests of road safety.

5.2 The aim of the Guidance is to release development within the Auchterarder area which does not form part of the Auchterarder Expansion Development Framework but has been restricted due to road safety constraints of the A9 at Auchterarder. Those developments paying the contribution will subsequently have their consents released enabling development to continue within the area.

5.3 The area over which the protocol will apply has been identified in map form as shown in Appendix 2: A9 Junction Supplementary Guidance Boundary.

5.4 The basis of the boundary is to incorporate an area where development would access the A9 using Loaninghead or Aberuthven junctions or both and would subsequently benefit from the proposed junction improvements. Blackford and Dunning are not included within the boundary area since they are primarily accessed by other junctions.

5.5 Principles of the Guidance

The following key principles will apply:

- The contribution for a single dwelling will be £3450;
- A contribution will be sought from all residential developments within the identified boundary of the wider Auchterarder area including single houses with the exception of affordable housing. Affordable housing is as defined in Part 2 of this Guidance;
- The contributions for residential development will be calculated pro rata according to the number of dwellings involved;
- This Guidance will not apply to areas within the approved Auchterarder

Development Framework;

- For non-residential developments within the identified boundary that have a trip generation equal to or higher than a dwellinghouse, an assessment for contributions will be made on a case-by-case basis. However where it is considered the proposed development would reduce the need to travel e.g. through the provision of local employment or services, the Guidance would not apply;
- Out-with the identified boundary area, but within the Strathearn Housing Market Area, a contribution would only be sought from developments that require a Transport Assessment which identified that the development would have an impact on the A9 junctions within the boundary area at Auchterarder.

5.6 Applying the Guidance

Where a development proposal includes replacement or refurbishment of existing houses, the A9 Junction contributions Guidance may not apply to all units. The test will be whether the proposal will effectively create additional residential units which were not available as houses previously. The guidelines are set out under paragraph 3.3.

- 5.7 Major developments contrary to the Development Plan will be subject to separate assessment against this Guidance on road safety grounds.

5.8 Developer Contribution Calculation

The total cost of the project in accordance with 2007 figures is estimated at £10.52m. Transport Scotland has contributed £1.4m towards the Loaninghead junction improvements. The remaining £9.12m will be provided by the Consortium delivering the Auchterarder Development Framework, gWest and other developments impacting on these junctions.

- 5.9 The contribution will be set at £3450/house. The basis of each contribution paid would seek to be proportional to the impact the development would have on the trunk road infrastructure. For non-residential development, the contribution will be calculated on the basis of the impact of an equivalent number of residential properties.

6. **Transport Infrastructure**

- 6.1 The following Supplementary Guidance is about facilitating development. It sets out the basis on which Perth and Kinross Council will seek contributions from developments in and around Perth towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites and to support the growth of Perth and Kinross.

- 6.2 The Council is seeking contributions from a package of measures which are essential to support the delivery of the Local Development Plan (LDP). The projected costs of the infrastructure have been estimated in line with industry standards. The current working estimates are as follows:

Element	Cost £
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Cross Tay Link Road (“CTLR”)	£150.47m
A9/A85 Crieff Road junction improvements	£49.4m
Total	£199.8m

Note: These are based on 2022 estimates

- 6.3 Updated Traffic Modelling has been undertaken in 2018 which has identified that 50% of future traffic growth is associated with new development sites in the LDP2. The contribution level is therefore calculated on the basis of 50% of the total costs (£99.9m), the remainder (£99.9m) being sought through other mechanisms.
- 6.4 The Transport Infrastructure contributions collected through this mechanism will only be used for the identified packages outlined in Paragraph 6.2. This contribution shall be considered as being additional to any other cumulative or site-specific transport contribution required in relation to the development. Following appropriate assessment, proportionate contributions or mitigation will be sought for work to the strategic transport network at the A9 Broxden junction. Early discussions are recommended to establish specific requirements. Proportionate contributions or mitigation may also be sought for rail infrastructure, the Inveralmond junction or the Perth Park and Ride Schemes.
- 6.5 Following appropriate assessment, proportionate contributions or mitigation will be sought toward the infrastructure to be delivered by Perth & Kinross Council at LDP2 Site MU70 (Perth West), including an A9 underpass to address site severance. Early discussions are recommended to establish specific requirements from landowners/developers within MU70.
- 6.6 Principles of the Guidance
Subject to the exceptions set out in this policy, this Supplementary Guidance applies to all development within the defined boundary identified in Appendix 3. This is because the transport appraisal relating to this Guidance illustrates a link between all development in the defined area and the impact which the defined transport improvements seek to mitigate, as per the guidance in Circular 3/2012: Planning Obligations and Good Neighbour Agreements. The full contribution level applies to all development within the identified Perth Core Area which is defined by settlements in this area having more than a 19% impact on the transport infrastructure. The reduced contribution level applies to all development out-with the Perth Core Area which is defined by settlements in this area having a 12% - 19% impact on the transport infrastructure. Out with the defined boundaries no contributions will be required, except for development for which a Transport Assessment is necessary and then identified as having a significant direct impact on any element of the infrastructure package (i.e. 12% or above). In such cases a higher contribution may be applied.
- 6.7 Residential developments of 20 units or less in the Perth City Centre Zone, as defined in Appendix 4 will not be required to make a contribution. Where a proposal is for 20+ units, then the contribution requirement will be assessed on an individual basis.
- 6.8 In order to support the economic growth of Perth and Kinross, new employment

uses which fall under the Employment Land Use category of the Transport Infrastructure section of this Guidance, and which are to be developed on brownfield land, will not be required to make a contribution. New employment uses on Greenfield land not cross subsidised by residential development will be considered on an individual basis. This will take account of the potential impact of the development and the extent to which the development directly benefits from the improved infrastructure. Extension of existing non-retail businesses on brownfield land will not be required to make a contribution.

- 6.9 The Retail contribution rate will only be applied to the trading floorspace of new or extension to existing retail developments. Non-trading and Back of House functions space will be calculated on the employment use category. Vehicular retail showrooms will be calculated based on the floorspace of proposed buildings.
- 6.10 Proposed buildings for agricultural use, such as cattle sheds and storage units needed to operate the farm business, will generally not be required to make a contribution. Office and Staff Buildings in association with agricultural use may be required to contribute.
- 6.10 Holiday accommodation including static caravan pitches and chalets will be calculated against the Residential – Affordable contribution rate. Temporary structures such as camping pods or touring caravan pitches will not be required to make a contribution.
- 6.11 Where a proposal supports specific Council objectives, such as regeneration or significant economic benefit but where it would not be viable due to the application of the Supplementary Guidance the Council may enter into negotiations to reduce the contribution with each case assessed and determined on its own merits.
- 6.12 Proposals for a change of use to form residential including the subdivision of existing residential property, but excluding agricultural buildings and ancillary accommodation/ residential garages, will not normally be expected to provide a contribution, unless they result in the creation of 5 or more residential units.
- 6.13 In the event of a contribution of land towards the development of the CTRL, the amount of contribution required under this mechanism may be revised. Each application will be considered on its individual merits, taking into account factors such as the value of the land, its condition and any remedial works required to make it suitable for use. Land values will be assessed independently by the District Valuation Service (or other mutually agreed appointee) with a joint brief being agreed between the Council and the applicant.
- 6.14 In circumstances where non-residential developments are proposed which typically do not include built internal floorspace (for example quarries, outdoor leisure operations etc.) but are judged through a Transport Assessment to have a demonstratable impact on the transport network, the contribution level will be calculated on an individual basis.
- 6.15 How is the Contribution Calculated?

The transport contributions are calculated on the Gross Internal Area (GIA) of new non-residential development or in the case of residential development the total number of units proposed. Where replacement buildings are proposed, (provided the building is in current use), the Trip Rate of the existing use will be taken into account and the contribution reviewed accordingly on a case by case basis. GIA includes everything within the external walls of the buildings (lifts, stairwells and internal circulation areas). It does not include areas like external balconies or the thickness of external walls. Appendix 6 sets out the GIA definitions.

- 6.16 Applicants for planning permission for non-residential buildings are advised to provide the following information with each planning application:
- Current GIA of buildings and their uses to be demolished (if any);
 - Proposed GIA of all buildings and their uses on site once the development has been completed.

6.17 Using this information, the Council calculates the net increase in GIA. This result is multiplied by the appropriate contribution rate in £/m² to calculate the required contribution level.

6.18 Contribution Rates per Development

The contribution level will be reviewed within a 5 year period from adoption of the Supplementary Guidance. Any review will take account of updated costs in relation to the infrastructure projects such as land costs, detailed designs, inflation and construction costs. The rates set out in this guidance may be revised to account for these updated costs and implemented without further formality. Any revised contribution level will not be applied retrospectively to consented planning permissions.

6.19 Perth Core Area

The Perth Core Area includes the settlements of Perth, Scone, Almondbank, Bridge of Earn, Oudenarde, Abernethy, Methven, Stanley, Luncarty, Balbeggie, Perth Airport and also the land between these settlements surrounding the main transport routes into Perth.

6.21 Full Contribution Area Rates

Land Use	CTLR	A9/A85	New Total
Retail (m ²)	£139	£46	£185
Employment (m ²)	£13	£4	£17
Other Non-Residential (m ²)	£43	£14	£57
Residential Open Market (per unit)	£3,288	£1,079	£4,367
Residential Affordable (per unit)	£1,644	£540	£2,184

6.22 Reduced Contribution Area Rates

Land Use	CTLR	A9/A85	New Total
Retail (m ²)	£104	£34	<u>£138</u>
Employment (m ²)	£10	£3	<u>£13</u>
Other Non-Residential (m ²)	£33	£11	<u>£44</u>
Residential Open Market (per unit)	£2,466	£810	<u>£3,276</u>
Residential Affordable (per unit)	£1,233	£405	<u>£1,638</u>

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Appendix 1 – Education Requirements

Developer contributions requirements for individual schools

Version 5: 2023

Next Review: 2024

To assist applicants with the preparation of development costs, the following schedule showing the school catchment areas where contributions will be sought.

This schedule is based on selected schools which have been operating at above 80% for 5 out of the previous 7 years and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

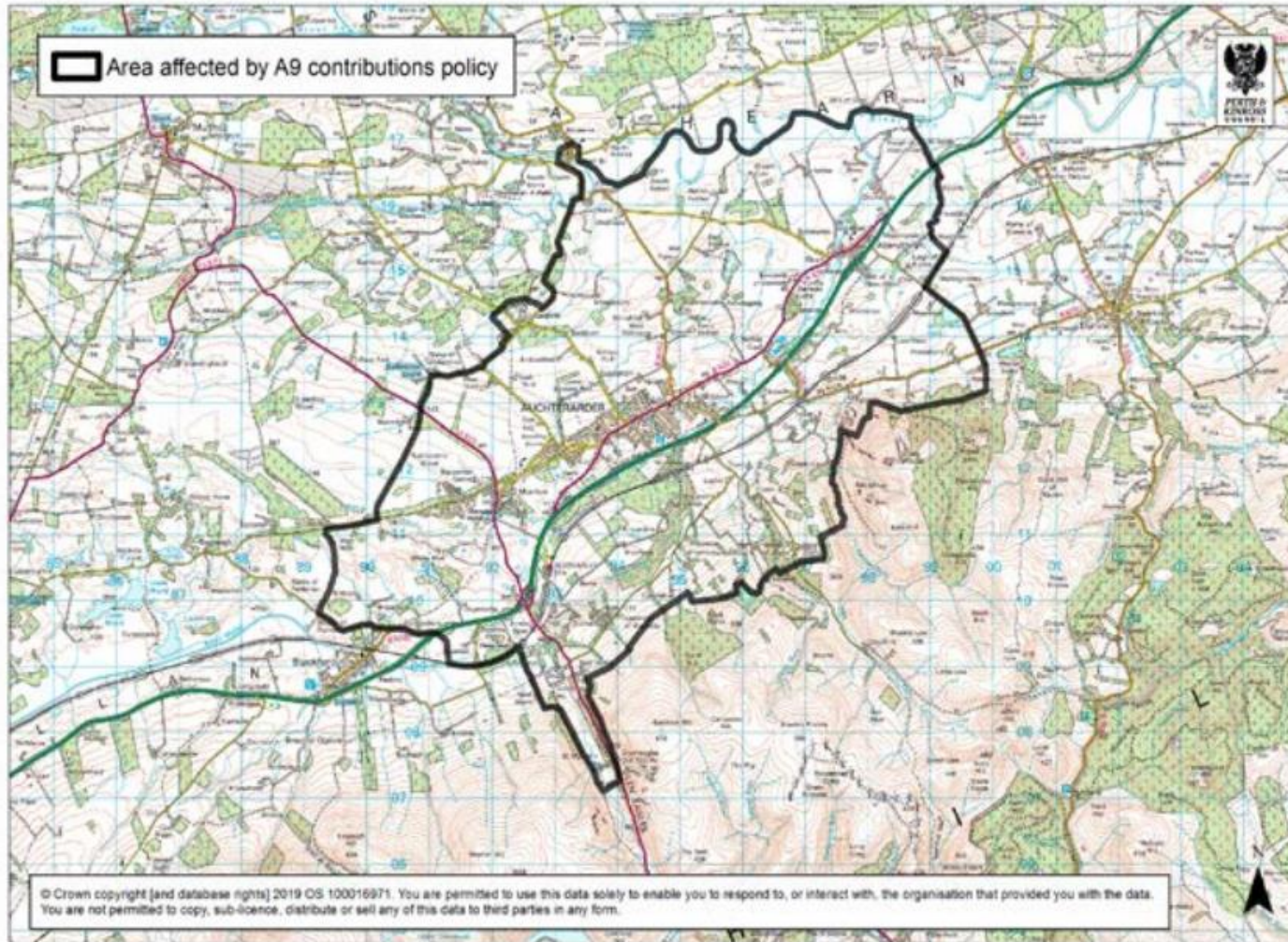
Where the Council has invested in Primary Schools to support future development a contribution will be sought from new development within the relevant primary school catchment. Where investment has taken place this is identified below:

Primary School	School Capacity	Capacity Issue	Investment action
Auchterarder CS Cluster			
Auchterarder	514	Yes	Reconfiguration as required
Blairstown High Cluster			
Newhill	423	Yes	Capacity required
Breadalbane Academy Cluster			
N/A	N/A	N/A	N/A
Crieff High Cluster			
Crieff	466	Addressed by action	New School built (2015) with capacity for expansion
Kinross High Cluster			
Kinross	566	Addressed by action	New School built (2017)
Milnathort	257	Yes	Capacity required
Perth Academy Cluster			
Robert Douglas Memorial	462	Yes	Capacity required

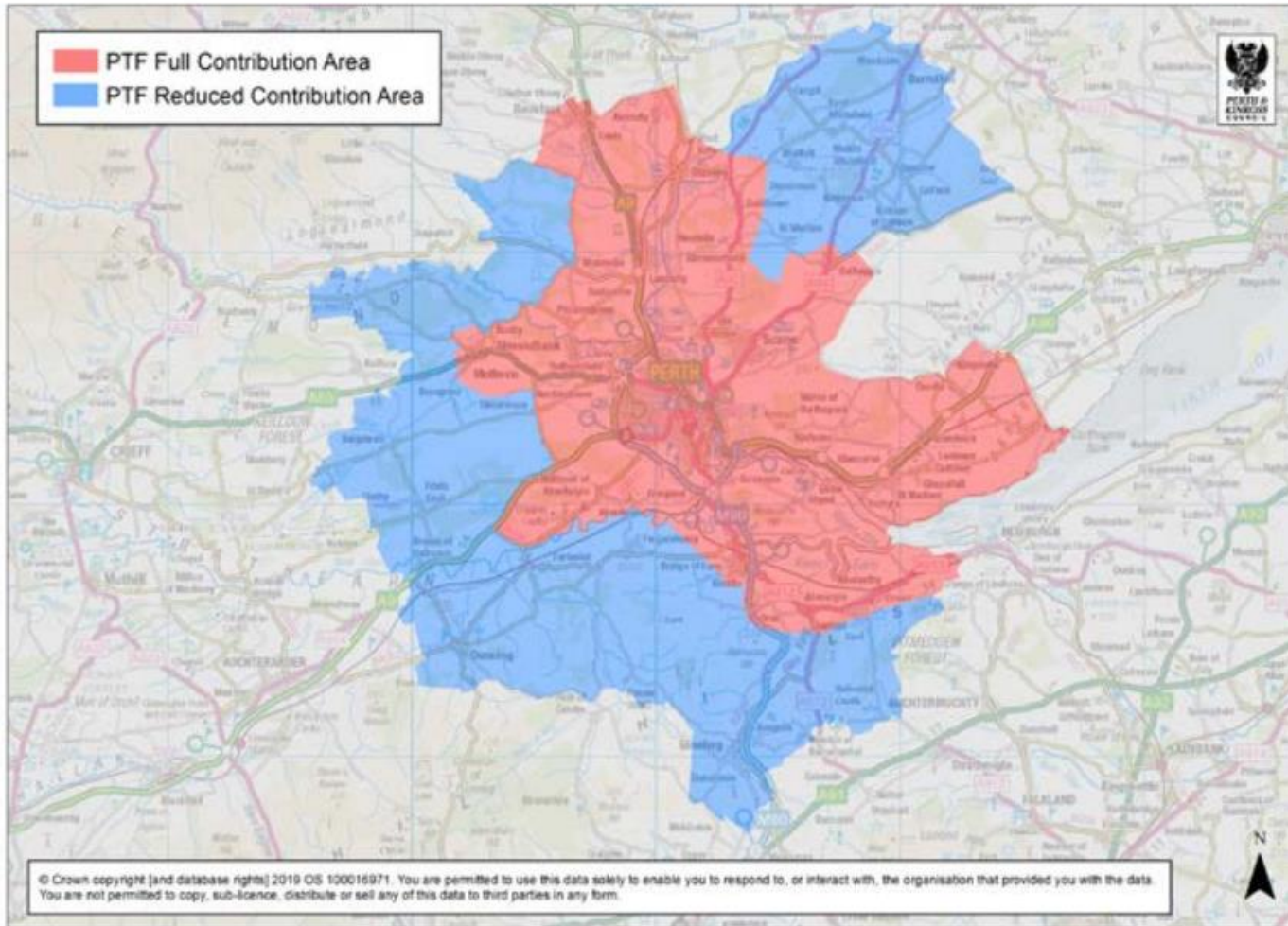
Perth Grammar Cluster			
Tulloch	434	Addressed by action	New school built (2018)
Perth High Cluster			
Abernethy	283	Addressed by action	Extension to school built (2013)
Dunbarney	207	Yes	Capacity required
Errol	316	Addressed by action	Extension to school built (2016)
Inchture	264	Addressed by action	Extension to school built (2014)
Kinnoull	203	Addressed by action	Extension to school built (2014)
Pitlochry High Cluster			
N/A	N/A	N/A	N/A
Bertha Park High Cluster			
<i>Note: Associated Primary Schools of Bertha Park High School are as follows and may be listed above within the existing Perth secondary school cluster: Auchtergaven Primary School, Dunbarney Primary School, Forgandenny Primary School, Logiealmond Primary School, Methven Primary School, Pitcairn Primary School, Ruthvenfield Primary School, Pupils resident in Oudenarde</i>			

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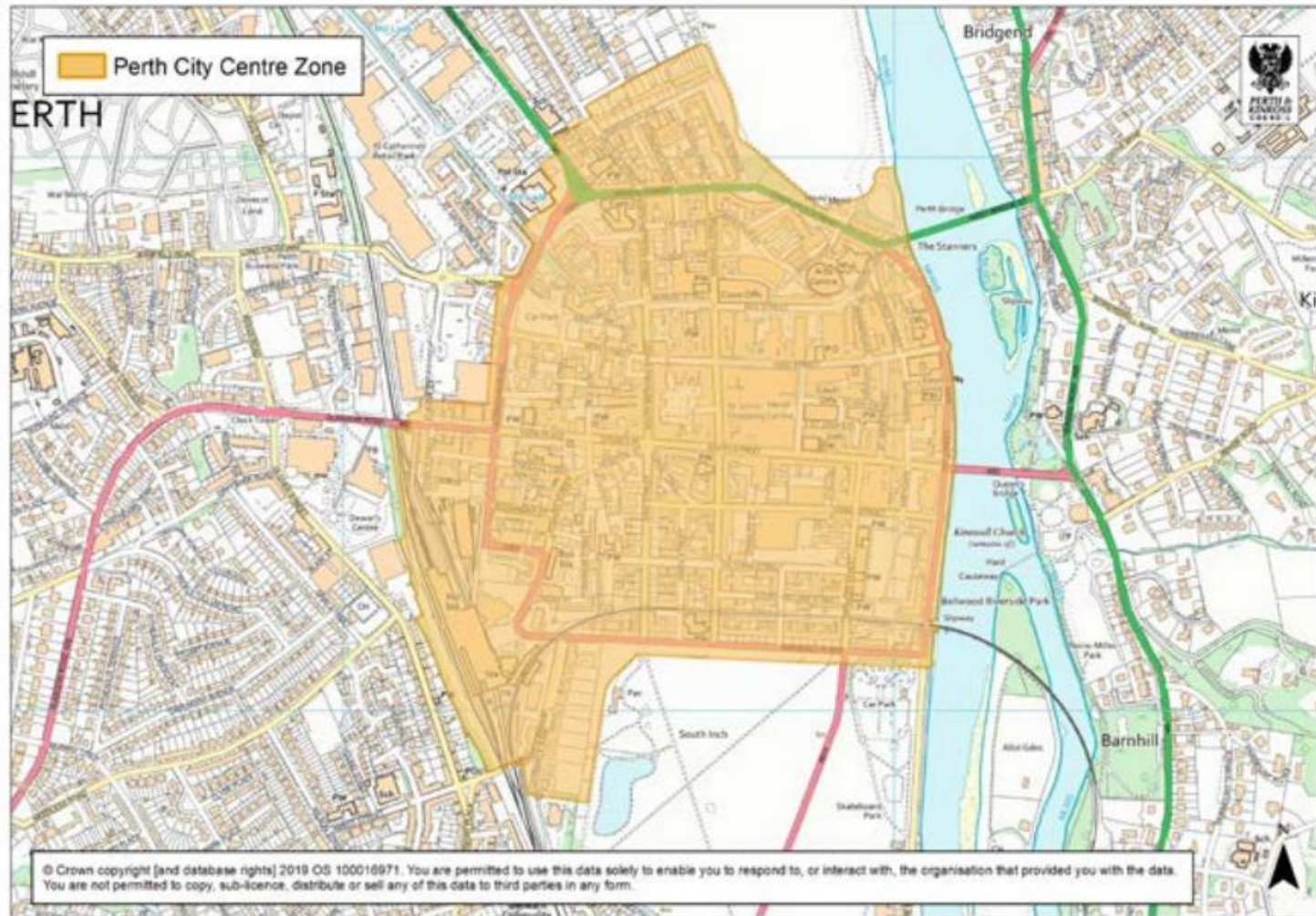
Appendix 2 – A9 Junction Supplementary Guidance Boundary



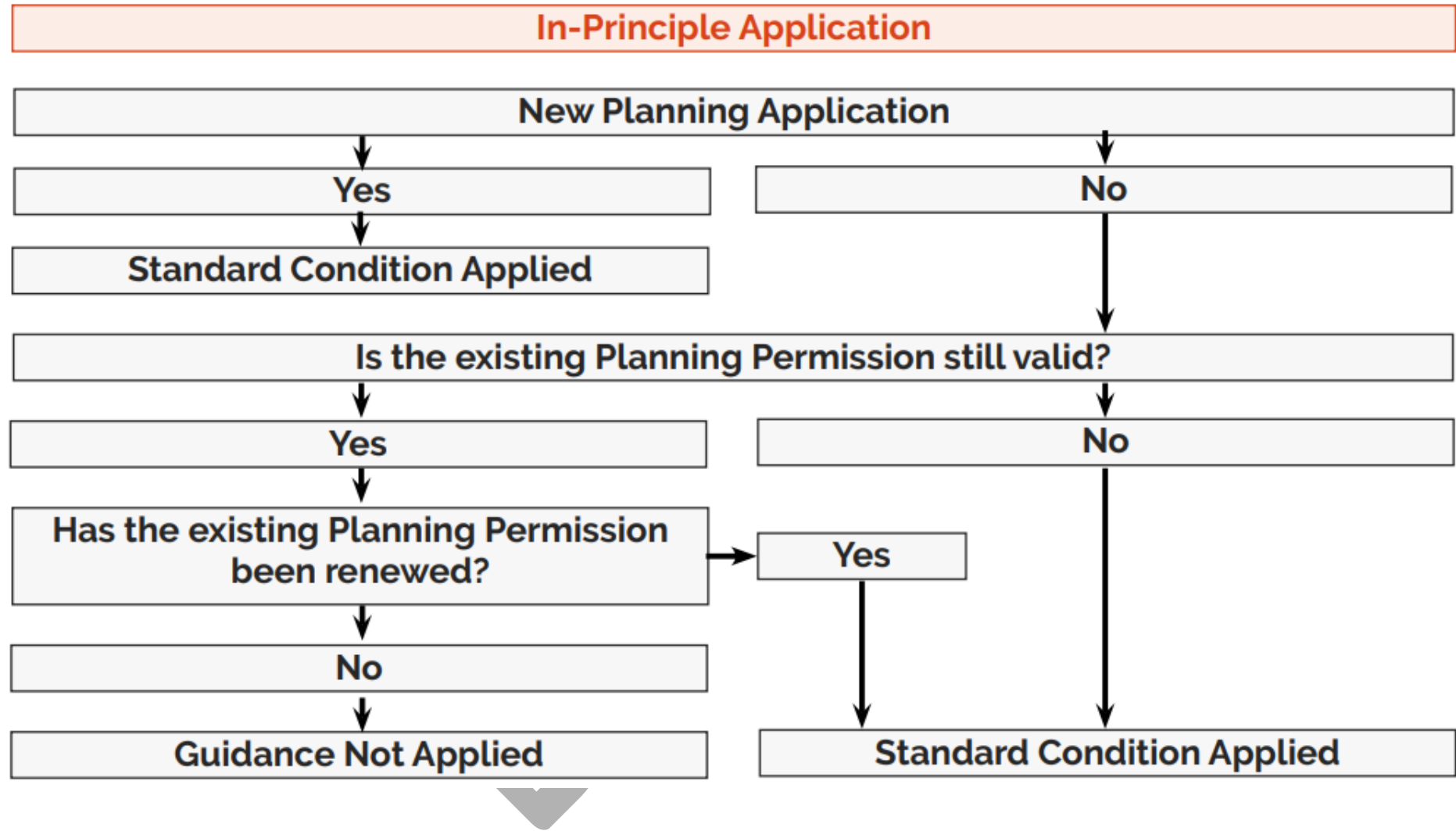
Appendix 3 – Transport Infrastructure Contributions Area

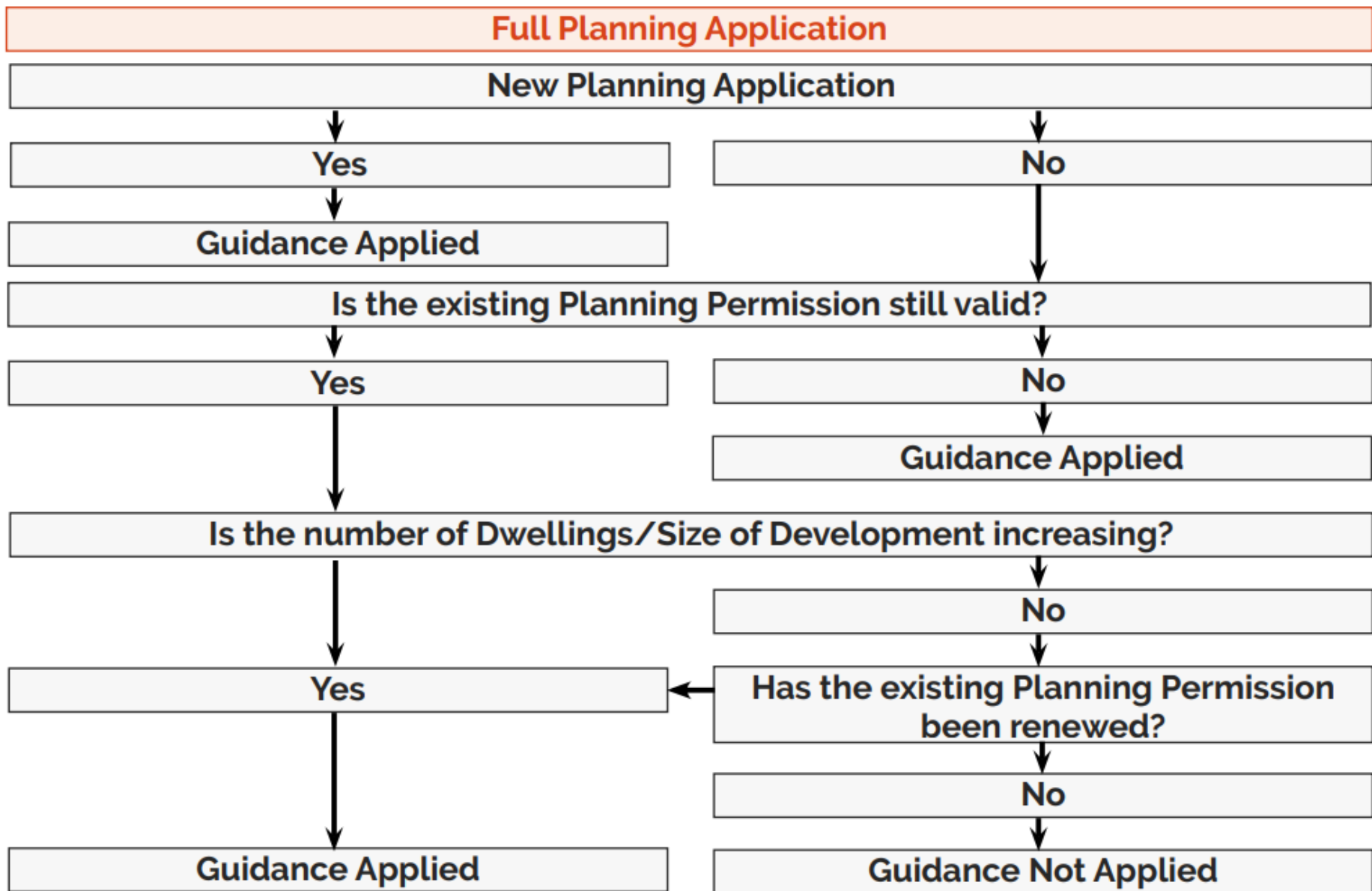


Appendix 4 – Perth City Centre Zone



Appendix 5 – Application of the Supplementary Guidance to Planning Applications





Appendix 6 – Gross Internal Area Definitions (GIA)

GIA is the area of a building measured to the internal face of the perimeter walls at each floor level. Including:

- Areas occupied by internal walls and partitions
- Columns, piers, chimney breasts, stairwells, lift-wells, other internal projections, vertical ducts, and the like
- Atria and entrance halls, with clear height above, measured at base level only
- Internal open-sided balconies, walkways, and the like
- Structural, raked or stepped floors are property to be treated as a level floor measured horizontally
- Corridors of a permanent essential nature (e.g. fire corridors, smoke lobbies)
- Mezzanine floor areas with permanent access
- Lift rooms, plant rooms, fuel stores, tank rooms which are housed in a covered structure of a permanent nature, whether or not above the main roof level
- Service accommodation such as toilets, toilet lobbies, bathrooms, showers, changing rooms, cleaners' rooms, and the like

- Projection rooms
- Voids over stairwells and lift shafts on upper floors
- Loading bays
- Integral Garages
- Conservatories

Excluding:

- Perimeter wall thicknesses and external projections
- External open-sided balconies, covered ways and fire escapes
- Canopies
- Voids over or under structural, raked or stepped floors
- Greenhouses, garden stores, fuel stores, and the like in residential
- Areas with headroom of less than 1.5m are excluded except under stairs.

The GIA of all developments will be calculated in line with the RICS Code of Measuring Practice, 6th Edition, 2007.



Contact information

For further information on developer contributions and any enquiries regarding the guidance, please contact the Development Contributions Officer at:

Email: TESDevelopmentContributions@pkc.gov.uk

Tel: 01738 475417

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