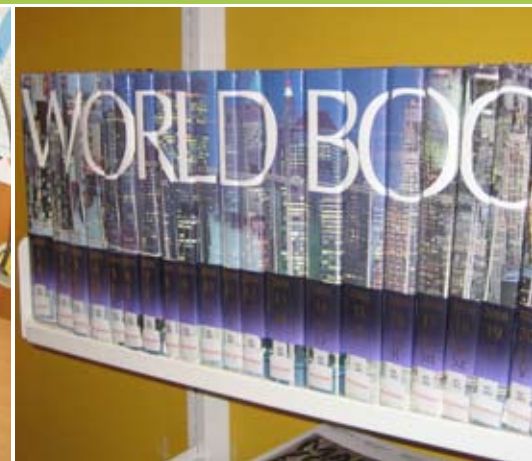


Spoq

supplementary planning guidance

Developer contributions for a replacement Armadale Library



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Supplementary planning guidance

DEVELOPER CONTRIBUTIONS FOR A REPLACEMENT ARMADALE LIBRARY

Introduction

1.1 In accordance with the development strategy of the Edinburgh and the Lothians Structure Plan 2015 (E&LSP) and the adopted West Lothian Local Plan 2009 (WLLP), a replacement library for Armadale is required. Paragraph 7.7 of the WLLP states that the Core Development Area (CDA) strategy identifies the need for developers to fund and deliver key infrastructure and facilities. Paragraph 7.31 refers to Policy HOU 6 of the E&LSP which requires contributions to remedy deficiencies in local facilities which result from additional housing. Policy CDA 2 of the WLLP confirms the requirement to contribute to improvements to local facilities and amenities and refers to the CDA Action Plan. The CDA Action Plan is set out in Appendix 7.1 of the WLLP and specifies improved library facilities at Armadale as requiring developer contributions.

1.2 This supplementary planning guidance sets out an approach for securing contributions towards improved library facilities in Armadale. These improved library facilities will also meet the needs of the new population arising from the housing allocations in the Armadale CDA.

1.3 For the avoidance of doubt, contributions are only being sought to meet the additional cost of providing library facilities for the 2070 house units, in the Armadale CDA, allocated in the WLLP, to meet the requirements of Policy HOU 3 in the E&LSP. The council has committed funds to meet the needs of the existing population. This is explained in paragraph 4.2.

Legislative and policy context

2.1 At paragraph 8.10, the E&LSP states that the responsibility for providing infrastructure and services to support the major development allocations will be borne in most part by the development, if funding from other sources cannot be secured, i.e. to overcome obstacles to the granting of planning permission. The use of planning agreements (in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 and Section 69 of the Local Government (Scotland) Act 1973) will provide the main means of securing services and infrastructure.

2.2 Scottish Office Development Department (SODD) Circular 12/1996 sets out current policy on planning agreements. The criteria to be satisfied are as follows:

- the agreement must serve a planning purpose;
- the agreement must be related to the development being proposed;
- the agreement must be related in scale and kind to the proposed development; and
- the agreement must be reasonable.

2.3 The E&LSP requires new infrastructure to be provided in phase with new housing. Policy HOU 5 of the structure plan states that planning permission should not be granted for housing development until all relevant infrastructure is provided or its funding committed. Due to its strategic focus, the E&LSP does not specify the provision of improved library facilities, but such specific provision is allowed for under Policy IMP 4 which says that further requirements, such as library contributions, can be identified through the local plan process.

2.4 Circular 12/1996 and the E&LSP do not refer to a distinction between revenue and capital expenditure. Both documents refer to developers being expected to pay for or contribute to the cost of infrastructure which would not have been necessary but for the development.

Securing the developer contributions

3.1 Developer contributions may be secured by means of Section 69 and Section 75 Agreements concluded between the applicant and the council, prior to the issue of planning permission.

3.2 In some cases, where relatively small sums of money are involved, it may be possible to avoid formal agreements and for the council to collect contributions through an exchange of letters prior to planning permission being granted.

3.3 All contributions received through this policy will be *ring fenced* and will be spent only on funding improved library facilities at Armadale.

Need for a replacement Armadale Library

4.1 There is no room to expand the library, on its present site, in order to meet the needs of the increased population arising from the development of the Armadale CDA. The existing Armadale Library also has access difficulties. The council is, therefore, providing a replacement Armadale Library, suitable for purpose, at the community centre. This project is part of the council's ten year capital investment plan which was approved by the Council Executive in December 2007.

4.2 The provision of the replacement library has recently been costed at £775,000. This cost and the design of the library will meet the requirements of the existing population and also the future population arising from the 2070 houses in the CDA. Therefore, the council are seeking developer



contributions of £275,000, towards the total of £775,000, to cover that proportion of the cost required to provide library facilities capable of meeting the needs of the future CDA housing. The £275,000 figure is based on a contribution rate of £133 per residential unit in the Armadale CDA (2070 house units multiplied by £133). The council contribution is considered to be at the level required to meet the library needs of the existing population. Contributions will be required to be index linked to the RICS tender price index from the 4th quarter 2009.

Summary of contributions required for a replacement Armadale Library

5.1 Developers should note that they will be required to contribute £133 per residential unit, for all housing developments in the Armadale CDA, towards the cost of providing a replacement Armadale Library.



FURTHER INFORMATION

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