

Appendix 4 Summarised consultation comments and responses on the Developer Contributions Supplementary Guidance

00185 – Scottish Government - Change in document requested: Page 5 makes reference to Circular 1/2010. We would highlight that this Circular was revoked by Circular 3/2012, therefore, would recommend that this reference be amended. Page 7 states that the National Park Authority can only use Section 75 Planning Act obligations to secure relevant contributions. Consideration should be given to reflecting Page 6 of Circular 3/2012 which sets out other types of legal agreement that should be considered before the use of section 75 obligations. Page 9 of the Planning Guidance refers to potential contributions for transport infrastructure. Paragraph 21 of Circular 3/2012 states that 'Planning obligations should not be used to resolve existing deficiencies in infrastructure provision'. As such, we would recommend that this position be highlighted within the Planning Guidance and that the National Park Authority satisfies itself that developer contributions sought, meet this requirement.

Officer recommended response:

Agree modifications requested

00188 Sportscotland - Change : That clarity be provided in relation to whether all outdoor sports facilities are included within the definition of community facilities for the purposes of developer contributions, or whether some, for example grass pitches, are included in the definition of open space.

Reason : The confusion arises as in the proposed plan, the policy protecting outdoor sports facilities (policy OS1), is described as an open space policy.

Outdoor sports facilities are defined in the development management regulations 2013 as: - an outdoor playing field extending to not less than 0.2ha used for any sport played on a pitch; - an outdoor athletics track; - a golf course; - an outdoor tennis court, other than those within a private dwelling, hotel or other tourist accommodation; - an outdoor bowling green. Outdoor playing fields can comprise synthetic pitches, which are referred to in the planning guidance under the definition of community facilities. Clarity over these definitions is important, as this will have implications in terms of which type of contribution is required for different types of development, in accordance with table 1 on page 6. Change : Insertion of open space as a category of contribution in Table 1, and information included as to which types of development this will apply to.

Reason: The open space category appears to have been omitted from the table.

Officer recommended response: Agree to modify table to include column for 'Open Space' provision. Provision shall be required for open space within the following types of development: 'Residential', 'Commercial' and 'Tourism'. (only replied to modifications requested section and not initial comment)

00694 - Strathclyde Partnership for Transport -Change : Page 4 add"and services (were appropriate)" after transport infrastructure

Reason : This change would reflect the text under the heading "transport infrastructure (including public transport and outdoor access)" which is clear that contributions may be sought for public transport services and facilities which reduce the need to travel by car

Officer recommended response: Agree modifications requested