

SG Developer Contributions 1: Developer contributions

We will approve development, subject to other policies, if:

- 1) the developer makes a fair and reasonable contribution, in cash or in kind, towards the cost of public services, facilities and infrastructure and the mitigation of adverse environmental impacts, which would not have been necessary but for the development (this will include cumulative impacts that can reasonably be predicted and are identified in the settlement statements); AND**
- 2) the developer agrees to retrospectively make a fair and reasonable contribution to the cost of infrastructure or of facilities that have already been delivered by Aberdeenshire Council, but which are directly related to the cumulative impact of their development; AND**
- 3) such contributions are consistent with the scale and nature of the development and are based on the requirements set out in the action programme.**

In all cases the need for and scale of any contribution will be reviewed in the light of circumstances at the time the planning application is made.

Reasoned Justification

The aim of this policy is to ensure that the cost of new or additional infrastructure required for new development will be met by the developer/s and not by the general public.

Schedule 3 identifies key facilities and infrastructure likely to be required, and the developments which will be expected to make a contribution to their provision. In addition, development occurring in each settlement will have to contribute to the associated infrastructure 'need' that has been identified within the settlement statement for that specific place. However, it is unrealistic to expect the Council to anticipate every situation where the need for a contribution will arise. Agreement on the timing of any contributions will be required prior to development commencing.

The settlement statements also state where a development framework and/or masterplan will need to be developed and subsequently adopted through supplementary guidance, requiring all developers within this area to work together to deliver the best outcome. In many cases the developers will be expected to fund the infrastructure as it is required. However, there may also be opportunities for up-front funding from Aberdeenshire Council, to deliver major infrastructure requirements and for it then to be recouped from developers as the development itself follows.

Section 75 agreements and other agreements will still need to be in place to address issues that are site specific, for example, relating to specific education or affordable housing requirements. It is important to note that each agreement will be negotiated on its own merits and the final level of contribution sought will be based on an assessment of the impacts on the recipient community.