



DEVELOPER OBLIGATIONS: Assessment Report

DATE:	10 April 2025
APPLICATION REF:	250202/DPP
DESCRIPTION:	Change of use of from Class 4 (Business) to form 24no. affordable flats, including formation/replacement of doors, formation of windows: installation of cladding, and alterations to the car park and garden ground with associated works
ADDRESS:	Loirston House, 102 Wellington Road
TO:	CTL Estates, C/O Bradley Craig Architects
COPIED TO:	Alex Ferguson, Case Officer

BACKGROUND AND DEVELOPMENT PLAN BASIS

This Developer Obligations Assessment Report sets out the obligations that are necessary to address the impact of your development proposal on local infrastructure as well as requirements for affordable housing provision.

Policies covering both of these elements are included in the [Aberdeen City Local Development Plan 2023](#), which your application is assessed in accordance with.

The relevant policies from the Local Development Plan are: Policy I1 (Infrastructure Delivery and Planning Obligations); and Policy H5 (Affordable Housing).

Detail on the methodologies used for calculating obligations is set out in [Supplementary Guidance: Planning Obligations](#) and further guidance on the provision of affordable housing is included in [Aberdeen Planning Guidance: Affordable and Specialist Housing](#). The supplementary guidance forms part of the statutory development plan for decision making purposes.

This Assessment Report will set out the basis for any agreement you enter into with Aberdeen City Council.

SUMMARY OF OBLIGATIONS

OBLIGATION	LEVEL OF CONTRIBUTION
Infrastructure	
Transportation	To be advised direct by the Transportation Team
Core Path Network	£9,505
Primary Education	Nil
Secondary Education	Nil
Healthcare Facilities	£13,041
Open Space	£3,241
Community Facilities	£27,401
Sports & Recreation	Nil
Affordable Housing	
Affordable Housing Contribution	6 units

BREAKDOWN AND CALCULATION OF OBLIGATIONS

This section of the report outlines how the obligations above have been calculated.

Calculation of Standard House Unit Equivalent (SHUE)

Applications are generally assessed on the basis of standard house unit equivalents, with a three bedroomed house taken as a Standard House Unit Equivalent (SHUE). Section 4 of Supplementary Guidance: Planning Obligations provides more detail on the calculation of SHUEs.

This application for Detailed Planning Permission comprises:

- 23 no. 1 bed units
- 1 no. 2 bed units

This equates to a SHUE of 14.6. This assessment is therefore based on 14.6 standard house unit equivalents, except in the case of education

contributions, where 1 bed units are excluded from the calculations.

Please note that any change to the SHUE may have an impact on the level of obligations.

Infrastructure

Transportation

Any transportation requirements will be identified and confirmed direct by the City Council's Transportation Team.

Core Path Network

Core Paths and links to the Core Path Network are an infrastructure facility necessary for the purposes of recreation and sustainable active travel. New developments are required to install or upgrade Core Paths that are designated within the site and contribute towards addressing any cumulative impacts on surrounding core paths.

In this instance, a contribution has been identified towards Core Paths 79 (Kincorth Hill) & 103 (North Balnagask Road to Wellington Road).

Contribution: $14.6 \times £651 = £9,505$

Primary Education

The application site is within the catchment area for Loirston Primary School.

Given the proposed development comprises predominantly one-bedroom flats, it is not expected that these would accommodate school children, and therefore the development is unlikely to have any discernible impact on pupil numbers within local schools.

Contribution: Nil

Secondary Education

The application site is within the catchment area for Lochside Academy.

Given the proposed development comprises predominantly one-bedroom flats, it is not expected that these would accommodate school children, and therefore the development is unlikely to have any discernible impact on pupil numbers within local schools.

Contribution: Nil

Healthcare Facilities

Infrastructure requirements have been calculated with NHS Grampian on the basis of national health standards and by estimating the likely number of new patients generated by the proposed development. Contributions are calculated using nationally recognised space standards and build costs, based upon the population requirements for GP surgeries, dental chairs and community pharmacies.

In this instance, a contribution will be directed towards internal reconfiguration works to increase capacity at both the Cove Bay and Kincorth Medical Practices, as these existing facilities are currently operating at, or over capacity.

Contribution: $14.6 \times £893.20$
(Reconfiguration Rate) = £13,041

Open Space

Where there is insufficient open space provided as part of the proposal in reference to [Aberdeen Planning Guidance: Open Space and Green Infrastructure](#), or where the Council's Open Space Audit demonstrates that the minimum quantity and accessibility standards are met by existing provision, then a contribution towards raising the quality of existing provision may be required.

In this instance, contributions have been identified towards the enhancement of existing open spaces in the vicinity of the development.

Contribution: $14.6 \times £222 = £3,241$

Community Facilities

In order for occupants of the proposed development to fully utilise community facilities, improvements will be necessary. The development is not required to address existing shortcomings in community facilities. However, the cumulative impact of development will put additional pressure on local facilities and this will require mitigation.

In this instance, a contribution has been identified towards Greyhope School and Community Hub (including Torry Library), Tullos Learning Centre

and Cove Library, which have plans in place for a number of upgrades including: bike lockers, noise dampening, improving accessibility and creating spaces to support additional support needs.

A contribution will be sought on the basis of 0.69 m² of community facilities per SHUE at a build cost of £2,720 per m².

Contribution: $14.6 \times 0.69\text{m}^2 \times £2,720 = £27,401$

Sports & Recreation

In this instance, no contribution has been identified.

Contribution: Nil

Affordable Housing

Policy H5 seeks a minimum of 25% of any development of 5 or more dwelling units to be provided as affordable housing.

For developments of 20 units or more, it is expected that the affordable housing should be delivered on-site in accordance with the preferred hierarchy of affordable housing types in Section 2.5 of [Aberdeen Planning Guidance: Affordable and Specialist Housing](#). For developments of fewer than 20 units, the provision of affordable housing may be on-site, off-site or a commuted sum payment.

In this instance, the affordable housing requirement equates to 6 units.

It is noted that the application proposes all 24 of the flats to be affordable and delivered on-site as social rented accommodation, operated by a Registered Social

Landlord. This may require to be controlled through a legal agreement.

REMITTANCE OF OBLIGATIONS

Remittance of financial obligations can be undertaken either through entering into a Section 69 agreement (in the case of upfront payment) or a Section 75 agreement (in all other cases). In all cases, the relevant legal agreement is required prior to release of the Planning Decision Notice.

Where there is a requirement for affordable housing on site, in kind provision and/or the amount of developer obligations for infrastructure is such that an upfront payment may be considered prohibitive, a Section 75 agreement will be required. Please note that Applicants are liable for both the costs of their own Legal Agent fees and the Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

The provision of an upfront payment will allow a planning consent to be issued promptly.

In the case of upfront payment, a Planning Decision Notice cannot be issued until a payment in respect of developer obligations has been made. Prior to remitting funds the applicant should check with the Planning Officer that the payment is the only outstanding matter. The Planning Officer will be informed directly by the Planning & Monitoring Officer when funds have cleared.

Management of Funds

Contributions are currently held in the Council's balance sheet in a unique account to which notional interest is added on a monthly basis. In the event of a repayment of contribution the

interest added will be calculated to reflect, in addition, compounding on an annual basis.

Unless otherwise specified in the relevant legal agreement, the Council undertakes to spend contributions received in respect of an appropriate project or projects in line with the detail of this assessment within 7 years of the date when planning permission is implemented (evidenced through the notice of initiation of development). In the event of the contribution or part of it not being spent within this time period the contribution or part will be refunded to the applicant or their nominee along with relative interest accrued.

REMITTANCE ADVICE: Upfront Payments

Payment for developer obligations can be made using the Council's **online payment portal** at

<http://www.aberdeencity.gov.uk>

Click on the pay it tab and select Developer Obligations from the payment portal. Paying online is the quickest way to secure planning consent where developer obligations are required.

If you cannot use the payment portal, payment can be made by BACS transfer.

BACS Payments

Bank Details for Payment by BACS:
Aberdeen City Council General
Account
Sort Code 82-60-11
Account No. 80009421
I - Ban no.
GB38CLYD82601180009421
BIC no. CLYDGB21350
Aberdeen City Council General
Account BACS Payment

To make a BACS payment, email developerobligations@aberdeencity.gov.uk and the Planning Officer to confirm that you are making a payment via BACS and to confirm the full amount due and planning application reference. Failure to advise the team that you are making payment will significantly delay the issue of your planning consent.

Please ensure that your planning application reference is included as your BACS reference in the following format: P000000.

Receipts

All payments made will be acknowledged as received by way of email.

Non Payment

Applicants and Agents should be aware that where all other planning issues have been resolved and only the payment of developer obligations is preventing the release of the Decision Notice, non-payment may result in the application being subsequently recommended for refusal as contrary to the relevant policies in the Local Development Plan.

REMITTANCE: Under Section 75 of the Town and Country Planning (Scotland) Act

Indexation

Unless otherwise specified, payments will be index linked to the BCIS All In Tender Price Index at Q4 2023.

Phasing of Obligations

Unless otherwise specified and agreed, payment of obligations will be billed quarterly in arrears based on completions in the previous quarter, as evidenced through building control completion certificates and also as advised by the developer. An initial payment will also normally be required prior to the commencement of development.

In the event of the contribution or part of it not being spent within the time period specified in the legal agreement, the contribution or part will be refunded to the Applicant or their nominee along with relative interest accrued.

Preparation of Legal Agreement

The Applicant is cautioned that the costs of preparing a Section 75 agreement from the Applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own Legal Agent's fees Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 agreement. The Applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service on this issue.

Instruction of Legal Agreement

Please note that should you wish to proceed via this route the legal agreement can be instructed as soon as Heads of Terms (items for which contributions have been sought, overall level of contributions and number, tenure and mix of affordable housing) as set out in this Report have been agreed with the Developer Obligations Team and you have advised of the details of your Legal Agent.

The Planning Officer is responsible for the instruction of the legal agreement following confirmation from the Developer Obligations and Transportation Teams that Heads of Terms have been agreed.