



proposed local development plan ²⁰¹⁶

draft developer contributions framework
supplementary guidance

Foreword

East Lothian is a very attractive place to live, work, do business, recreate and visit. The area is facing change in its population, economy and way of life, which will affect all of us who live here and the towns and villages we live in. The Local Development Plan sets out a strategy and policies for accommodating new development in a sustainable way.

Significant population growth is expected to continue in East Lothian and we need to help ensure that the Scottish Government's requirement to provide sufficient land for new homes and employment can be met whilst delivering more affordable homes and jobs. We need to maintain high quality services and infrastructure, taking into account the needs of our changing and growing communities, so sustainable economic growth can take place. In some places this means more capacity must be provided in infrastructure and facilities so that the demand for it generated by new development can be accommodated in an efficient and effective way.

When preparing this Supplementary Guidance we have worked with service and infrastructure providers to assess the impact of the Local Development Plan strategy and sites, including on the transport network and on our education and community facilities. With them we have planned how much more capacity will be required, how much this will cost and how and where it is to be delivered. Within this we have identified how developers will contribute to providing the necessary increases in capacity in line with the impact that will be generated by their developments, as well as the role their sites will have to play in delivery. We want to work collaboratively to make sure the planned growth of East Lothian is delivered.

This Supplementary Guidance supports our Local Development Plan. It has been prepared in line with relevant Scottish Government policy and advice on development planning and developer contributions. It sets out East Lothian Council's requirements for developer contributions for the provision of additional capacity in infrastructure and facilities that will be needed to support the new development planned for by our Local Development Plan.

We have done this work upfront alongside the plan because we want to be as clear as possible with our customers about what we need to deliver planned development where; we also want to make the process simpler, easier and faster so we can help make development happen.



Councillor Norman Hampshire
Spokesperson for Environment

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Purpose of this Supplementary Guidance

- 1.1** The planning system allows mitigation to be sought from applicants or developers towards delivering infrastructure capacity solutions where the need for this arises as a result of their development. Planning policies can also require that provision is made for other interventions, such as provision for affordable housing as part of market housing development. These interventions are normally called ‘developer contributions’.
- 1.2** To enable additional development in East Lothian further investment will be required from developers to overcome the transport, education, community, health care and affordable housing requirements, or other infrastructure or environmental constraints that will arise as a result of their developments, on an individual and on a cumulative basis. The Council has worked with service and infrastructure providers to identify opportunities, constraints and costed mitigation solutions for planned growth.
- 1.3** The Strategic Development Plan for Edinburgh and South East Scotland (SDP) expects East Lothian’s Local Development Plan (LDP) to set out the items and circumstances in which developer contributions will be sought. Supplementary Guidance is to be prepared to assist applicants, landowners and developers in this regard. Accordingly, this statutory Supplementary Guidance provides further information and detail on how SDP Policies 8 and 9 and LDP Policy DEL1: Infrastructure and Facilities Provision will be applied. This guidance sets out the contributions, where known at this stage, that applicants or developers must provide for as part of their proposals for different types and scales of development within different parts East Lothian.
- 1.4** A need for additional capacity in infrastructure can be generated by an individual development, or by the cumulative impact of a number of developments in an area. One development can impact on a number of different types of infrastructure or facilities. This means a development may need to mitigate its impact on infrastructure or facilities with other developments on a cumulative basis as well as be the sole provider of mitigation where the need for it arises only because of that development.
- 1.5** Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements is clear developer contributions can only be sought where they are necessary to make a proposal acceptable in planning terms (overcome a barrier to the approval of planning permission); serve a planning purpose (provide or contribute towards mitigation that is normally identified in the development plan); be related to the proposed development either as a direct consequence of it or arising from the cumulative impact of development in an area (there must be a clear direct link between development and the infrastructure to be provided), fairly and reasonably relate in scale and kind to the development (provide or contribute to the provision of infrastructure that would not be necessary were it not for the development, on a proportionate pro-rata basis as appropriate, but not to resolve existing deficiencies); and be reasonable in all other respects.
- 1.6** The Scottish Government acknowledges that infrastructure capacity is a significant issue to enabling further sustainable economic growth in East Lothian. Best use is to be made of existing capacity and facilities as appropriate, but in some cases additional capacity and new facilities will be required. Innovation and joint working is expected to identify funding solutions and delivery mechanisms. Developer contributions will have a role to play in this and they can be provided for in the following ways:

- **Accumulated Contributions** are placed in an infrastructure fund that relates to a specific infrastructure project that is required to mitigate the cumulative impact of new development in an area. Such funds are used so the cumulative impact of more than one development can be mitigated by combining separate contributions that are in keeping in scale and kind with the proportional impact of each development, so when the individual contributions are taken together they can deliver an intervention that is needed to mitigate the cumulative impact of development;
- **In-kind Contributions** such as where a developer builds (e.g. homes) or provides (e.g. serviced land) the necessary intervention to an agreed standard and transfers it to the service or infrastructure provider, or agrees with them another appropriate delivery mechanism;
- **Financial Contributions** such as one-off upfront payments, or phased payments for more substantial or complex contribution requirements; and
- **Commutated sums**, such as for the on-going maintenance of open space or in lieu of on-site provision for affordable housing.

1.7 This Supplementary Guidance identifies the key contributions that will be required from applicants or developers in association with their proposals for different types and scales of development for sites planned for by the Local Development Plan in different developer contribution zones within East Lothian. It also identifies the preferred manner in which such developer contributions should be provided for by applicants or developers.

1.8 Commitment from applicants or developers to provide for their contributions will be necessary before planning permission will be approved. This may require use of legal agreements. For the avoidance of doubt, applicants or developers will also need to comply with any conditions of their planning permission.

Delivering the Spatial Strategy for East Lothian

- 1.9** The LDP distributes the SDPs requirement for additional development to sites within East Lothian. Demand for additional capacity in infrastructure or facilities will increase as these sites are developed. Service and infrastructure providers have analysed the impact of this planned development on the need for additional capacity in their infrastructure and facilities. As part of this, they have considered whether there is scope to use their existing assets more effectively to maximise their capacity.
- 1.10** The locations allocated for development by the LDP will make best use of available capacity, or capacity increases that can be provided, at existing infrastructure or facilities. However, the amount of development land that needs to be allocated by the LDP means that not all new development can be serviced by using existing assets. New infrastructure and facilities will need to be provided to accommodate the impact of new development in the area. As part of a place-making approach, the LDP identifies areas of significant change and areas of regeneration within which sites for new development are identified. The scale of development promoted in certain locations will be sufficient to justify and sustain the new facilities or infrastructure required, on an individual or on a cumulative basis as appropriate.
- 1.11** This integrated approach to land use and infrastructure planning focused on how existing and new public assets can be used more effectively in future. Related opportunities have been explored jointly by service and infrastructure providers. This included the scope to deliver services in different ways and to share facilities to maximise the use of assets and minimise the need for new

ones. Service and infrastructure providers were encouraged to consider their capital and asset management strategies in parallel with the preparation and delivery of the LDP. This early up-front work has helped to identify efficiencies, existing capacity deficits, where capacity increases are already planned and, separate from this, where there will be a need for further increases in capacity or provision of new facilities as a direct result of uncommitted development. Infrastructure capacity projects and costs, including the proportion that need be met by applicants or developers on an individual or cumulative basis, have also been identified.

- 1.12** Where provision of additional capacity is essential, consideration has been given as appropriate to future flexibility and adaptability to allow scope for shared use of facilities in future. This will minimise the cost of providing infrastructure capacity for new development and will help to minimise revenue costs. This will assist in delivering and maximise the affordability of the Local Development Plan strategy. In this context, there will be a key role for education facilities in future. Out of school hours they will provide an important focus for wider community uses wherever possible and appropriate. However, whilst the shared use of facilities will be important, there will be a need to increase the capacity of other facilities to ensure the additional development can be accommodated and service provision can be maintained.
- 1.13** Accordingly, to accommodate further new development in East Lothian the LDP safeguards land in order that the service or infrastructure providers can assemble it so they can provide the necessary additional infrastructure capacity solutions or other interventions. There is also a need to identify appropriate funding and delivery mechanisms for the provision of these interventions and within this to embrace the role 'developer contributions' will

have to play in delivering the LDPs strategy and sites. The LDP Action Programme identifies associated actions, dependencies, roles and responsibilities.

- 1.14** However, notwithstanding all of this early up-front work, as development proposals emerge detailed discussions between applicants and service or infrastructure providers will be required, preferably during pre-application discussion. Early engagement will be essential to ensure the timescales for the commencement of development and the provision of mitigation are appropriately aligned – e.g. transfer of serviced land or financial contributions relative to the commencement of development and commitment to deliver an infrastructure project.
- 1.15** In some cases this may require the provision of certain ‘developer contributions’ from a development to be prioritised through time to ensure that specific mitigation or infrastructure required as a result of the development will be available when required. Yet in some cases this may be prohibitive to a viable development project – e.g. if significant funding is necessary before development commences or in the early stages of construction. In such situations early discussion on these issues will be essential to try and find and agree appropriate delivery solutions.
- 1.16** To overcome obstacles to the approval of planning permission, and to ensure development projects can be made viable while delivering infrastructure capacity when required, there may be situations where the phased payment of contributions can be agreed – e.g. to help align payment of financial contributions with the cash flow of the proposed development rather than the cash flow of an infrastructure project - but only if the associated risk can be managed with the use of an appropriate legal agreement.

1.17 Additionally, where it is essential that an increase in capacity is provided before or simultaneously with development, on an individual or cumulative basis, service or infrastructure providers may decide to target their funding to wholly or partly front fund an infrastructure project so development can be enabled. However, this approach would only be possible because the applicants or developers that would benefit from it will be required to commit to contribute on a cumulative pro-rata basis to the infrastructure project by contributing into a fund that accumulates for the relevant infrastructure solution before any planning permission will be approved, as specified by this Supplementary Guidance.

1.18 Allowing staged repayments in this way towards front funded infrastructure capacity will be particularly beneficial where a number of developments are dependent on the prior delivery of a shared infrastructure capacity solution that would address their cumulative impact. This approach would overcome the need for all developers to wait until full funding for the infrastructure project has been committed or gathered and for the additional infrastructure capacity to then be delivered before any of their developments could commence. This is particularly beneficial if each developer wants to progress independently of the others.

1.19 A service or infrastructure provider may agree to delay or phase provision of additional infrastructure capacity and to manage development related impacts in the short term. Where possible and appropriate this approach may allow some development to commence and a service or infrastructure provider to accumulate contributions over time and to combine them from a number of different developments so they can fund on a pro-rata basis the intervention that is required to mitigate their cumulative impact.

However, this approach would only be possible because the applicants or developers that would benefit from it will be required to commit to contribute on a cumulative pro-rata basis to the infrastructure project by contributing into a fund for the relevant infrastructure solution before any planning permission will be approved, as specified by this Supplementary Guidance.

1.20 New development will generate a need for other interventions. These may include provision for affordable housing, connections to the surrounding area, measures to encourage public transport use or more sustainable modes of travel (such as active travel) or to offset or compensate for any increased use arising from new development, or mitigation to address environmental issues such as air quality. Developer contributions for interventions will not be sought to resolve pre-existing deficiencies or problems, or to achieve objectives not necessary to overcome an obstacle to the approval of planning permission for an appropriate development; however, proportional developer contributions will be required from uncommitted developments to uncommitted interventions, if those interventions would address pre-existing issues as well as the impact of uncommitted development.

1.21 Every effort has been made in the preparation of the LDP and this Supplementary Guidance to identify the need for 'developer contributions' in respect of uncommitted LDP sites. However, it has not been possible to identify all developer contributions that will be required. The need for developer contributions will be identified as early as possible in the Development Management process. This will include any fresh proposals for committed sites and for windfall proposals. Windfall proposals will not be supported if they would undermine LDP sites. Similarly, if a windfall proposal is dependent on the prior provision of

mitigation from an uncommitted project, or if there is a lack of certainty over the ability or timescale to deliver mitigation, this could make the windfall proposal unacceptable in planning terms. For all development proposals early engagement and collaborative work with service or infrastructure providers will be essential to seek to scope the full extent of likely developer contributions that may be associated with a proposal.

1.22 The LDP seeks to deliver new development in a way that promotes sustainable development. To do this it needs to ensure that applicants or developers provide any necessary additional capacity in infrastructure or facilities required as a result of their development, that provision will be made for affordable housing, that development will be integrated with its surroundings, and that environmental impact will be mitigated as appropriate. Early clarity on how these issues will be addressed will be essential for sound development appraisals, proposals and masterplans, and to help ensure the planning authority's target timescales for determining planning applications can be met. Proposals submitted without agreement on how these matters will be addressed risk refusal of planning permission.

1.23 In some circumstances the total financial implication of developer contributions may be more than a viable development is able to address. In exceptional circumstances, if the merits of a proposal would clearly outweigh the public interest in requiring certain contributions, the Council may consider on a case-by-case basis if there is sufficient justification for excusing a proposal from certain developer contributions where this would be in line with LDP policy. Applicants must support any such request with compelling evidence, including a development appraisal that the Council will seek to verify.

1.24 Consistent with relevant LDP policies and proposals and Circular 3/2012: Planning Obligations and Good Neighbour Agreements, this Supplementary Guidance seeks developer contributions for the provision of the following:

- **Transport network capacity**, including for active travel, public transport and the strategic and local road networks;
- **Education facilities capacity**, including for pre-school, primary school and secondary school levels;
- **Affordable housing**, which may include provision of housing and support services to meet the needs of older people as well as those with long term health needs including learning disability, mental health needs or physical disability or younger people with health and social care needs;
- **Sport Facilities Capacity**, including formal indoor and outdoor recreation and changing facilities;
- **Environmental mitigation**, including to address development related impacts on any identified Air Quality Management Area (which in the case of Musselburgh town centre will be addressed by transport interventions);
- **Health and social care facilities capacity**, including General Practitioner Services and community health services to meet the needs of the growth in population, particularly the projected increase in number of elderly people; and
- **Employment land servicing** as identified on site by site basis.

Legal & Policy Context

Relevant Primary Legislation

- 2.1** Developer contributions or other planning interventions can be secured by imposing a condition on a planning permission or by concluding a legal agreement. Where planning permission cannot be approved without some restriction or regulation on the development, this may be achieved through the use of a planning condition or a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) or under other legal powers.
- 2.2** In terms of securing necessary financial payments to mitigate the impact of development, the Local Government (Scotland) Act 1973 (s69), the Countryside (Scotland) Act 1967, the sewerage (Scotland) Act 1968, and the Roads (Scotland) Act 1984 (s48) also provide mechanisms for one off, upfront payments to be made.
- 2.3** Where subsequent owners of land need to be bound by a restriction or regulation on the use of the land an agreement under Section 75 of the Town & Country Planning (Scotland) Act 1997 (as amended) will be necessary. The need for a Section 75 agreement will arise in situations where, for example, phased payments are agreed and / or where there is a requirement for the delivery of a developer contribution on one part of a wider site to facilitate development on another part of the site (potentially under separate ownership).
- 2.4** Section 75A of the Act creates a formal process whereby a person against whom a planning obligation is enforceable may apply to the planning authority to have the obligation either modified or discharged. Since proposals to modify and/or discharge a planning obligation cannot be changed by the applicant once submitted for determination by the Council, it is strongly recommended that applicants have early discussion with the relevant service or infrastructure provider to establish if the proposed modification and/or discharge would be acceptable to them, or if and how it could be made so.
- 2.5** The period for determining applications to modify planning obligations is two months. This period begins from the date on which the application is made. Section 75B establishes a right of appeal to the Scottish Ministers where the planning authority refuses the application to modify a planning obligation or does not determine it within two months.

Relevant Scottish Government Circulars

Use of Conditions in Planning Permissions

2.6 Conditions on planning permissions can be used to appropriately control or regulate the use of land, in line with Circular 4/1998: Use of Conditions in Planning Permissions. Planning applications can be made to vary, remove or discharge conditions, and there is a right of appeal to Scottish Ministers if such applications are refused. Planning conditions should only be used when they are:

- Necessary;
- Relevant to planning;
- Relevant to the development to be permitted;
- Enforceable;
- Precise; and
- Reasonable in all other respects.

2.7 It would be *ultravires* to require a developer to carry out works that they have no power to carry out, or which would need the consent or authorisation of a third party, but a similar result may be achieved if a condition is worded in a negative form, such as prohibiting development until a specified action has been undertaken on-site or off-site - e.g. a suspensive or 'Grampian' planning condition. Where there is no reasonable prospect of the necessary action being undertaken it would be inappropriate to use a negative condition. Although planning permission runs with the land, planning conditions do not burden the title of the land.

Planning Obligations & Good Neighbour Agreements

2.8 Scottish Government Circular 3/2012: Planning Obligations and Good Neighbour Agreements sets out the expectations for the use of planning obligations under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended). Circular 3/2012 sets out a series of tests that must be passed before a planning obligation can be used. These tests are that:

- the use of a planning obligation is necessary to make the development acceptable in planning terms;
- the obligation will serve a planning purpose and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans;
- the obligation must relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area;
- the obligation must be fairly and reasonably related in scale and kind to the proposed development; and
- the obligation must be reasonable in all other respects.

2.9 Where justified, a planning obligation can be used to eliminate, reduce or compensate for any potentially negative impacts of a development on land use, the environment or infrastructure.

2.10 The use of planning obligations can allow obstacles to the approval of planning permission to be overcome where these cannot be satisfactorily addressed by planning conditions.

Applying the Developer Contributions Framework

Proposals Subject to the Framework

3.1 Policy DEL1: Infrastructure and Facilities Provision of the East Lothian Local Development Plan states that:

Policy DEL1: Infrastructure and Facilities Provision

New development will only be permitted where the developer makes appropriate provision for infrastructure and community facilities required as a consequence of their development in accordance with Scottish Government Circular 3/2012 or any revision. Any necessary provision for interventions must be phased as required with the new development.

This provision will include but will not be limited to the key interventions identified by the LDP and its Action Programme. Developer contributions will be required where a proposal generates a need for a key intervention and it is within the contribution zone that applies to that intervention. The developments that are planned for by this LDP and that must provide for these interventions in accordance with the Supplementary Guidance: Developer Contributions Framework will be:

- Proposals of 5 or more dwellings, including affordable homes; and
- Employment, retail, leisure or tourism proposals of 100m² gross floor space or larger.

The need for any windfall development proposal to make provision for infrastructure and community facilities will be assessed on a case by case basis.

Developer contributions will always be used to deliver the mitigation for which they were originally intended.

Planning conditions and/or legal agreements will be used as appropriate and required to secure any necessary provision from developers, which could include land and/or a capital contribution.

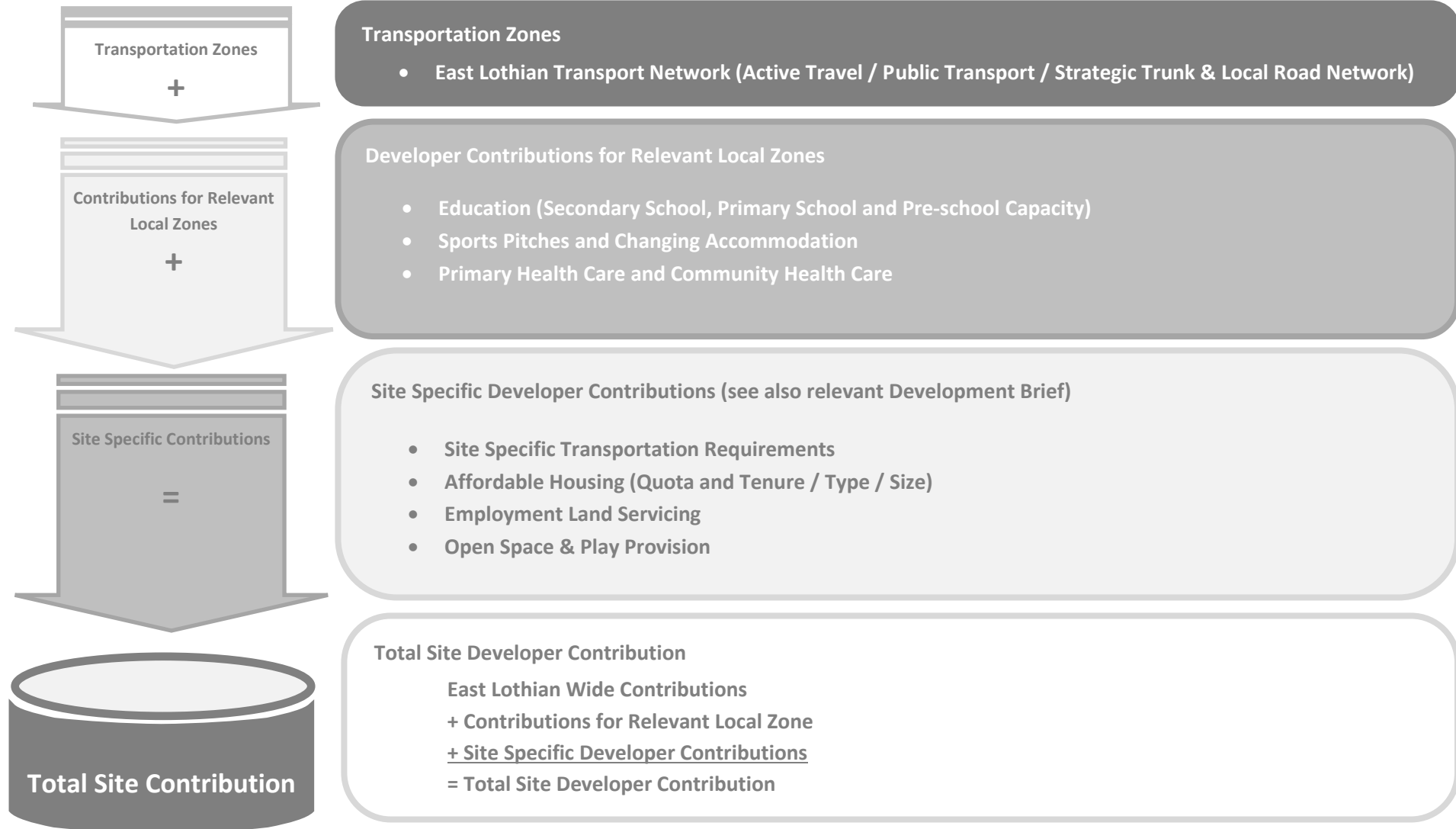
Developer Contributions by Development Type and Size

- 3.2 In accordance with Policy DEL1, the Council has adopted this Developer Contributions Framework to specify how appropriate provision for planning interventions required in association with different types and scales of development planned for by the LDP in different identified contribution zones within East Lothian will be secured from applicants or developers.
- 3.3 Table 1 specifies how the Developer Contributions Framework will apply to different types and scales of planned development and the nature of contributions required. Having identified the nature of contributions from Table 1, applicants must then refer to the Developer Contributions Framework to establish the scale of contributions they must provide for as a consequence of their proposed development in the 'contribution zone' in which it would be located. Plans at Appendix 1 show the contribution zones if these are not shown in the main body of the guidance. The framework sets out preferences for how contributions should be provided for – e.g. payment into an infrastructure fund etc.
- 3.4 The framework begins with Transportation Zones, including those for active travel, public transport and for strategic and local road network interventions. Contribution zones that are relevant to the provision of additional infrastructure capacity or facilities at a more local level are then set out. Proposals must provide for the contributions that are relevant to all the zones in which they are proposed. The framework explains the outline delivery strategy and the role of specific allocated sites in this. The framework must be read with the LDP and relevant site briefs that specify site specific development requirements where known at this stage, such as how a site should be accessed and how open space and play facilities should be provided (see also paragraph 1.21).

Table 1

	APPLYING THE DEVELOPER CONTRIBUTIONS FRAMEWORK BY DEVELOPMENT TYPE AND SIZE		
	RESIDENTIAL DEVELOPMENT OF 5 AND MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESUIRE OR TOURISUM DEVELOPMENT OF 100M² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
NATURE OF INTERVENTIONS			
Transport Infrastructure	✓	✓	Infrastructure Fund / Financial Payment / In-kind (e.g. delivery of multifunctional pathway)
Education Capacity	✓	X	See Developer Contributions Framework
Affordable Housing	✓	X	See Developer Contributions Framework
Sports Pitches & Changing Accommodation	✓	X	See Developer Contributions Framework
Health & Social Care Facilities	✓	X	See Developer Contributions Framework
Servicing of Employment Land	Site Specific (See LDP and Site Brief)	X	See Developer Contributions Framework

The Developer Contributions Framework for East Lothian



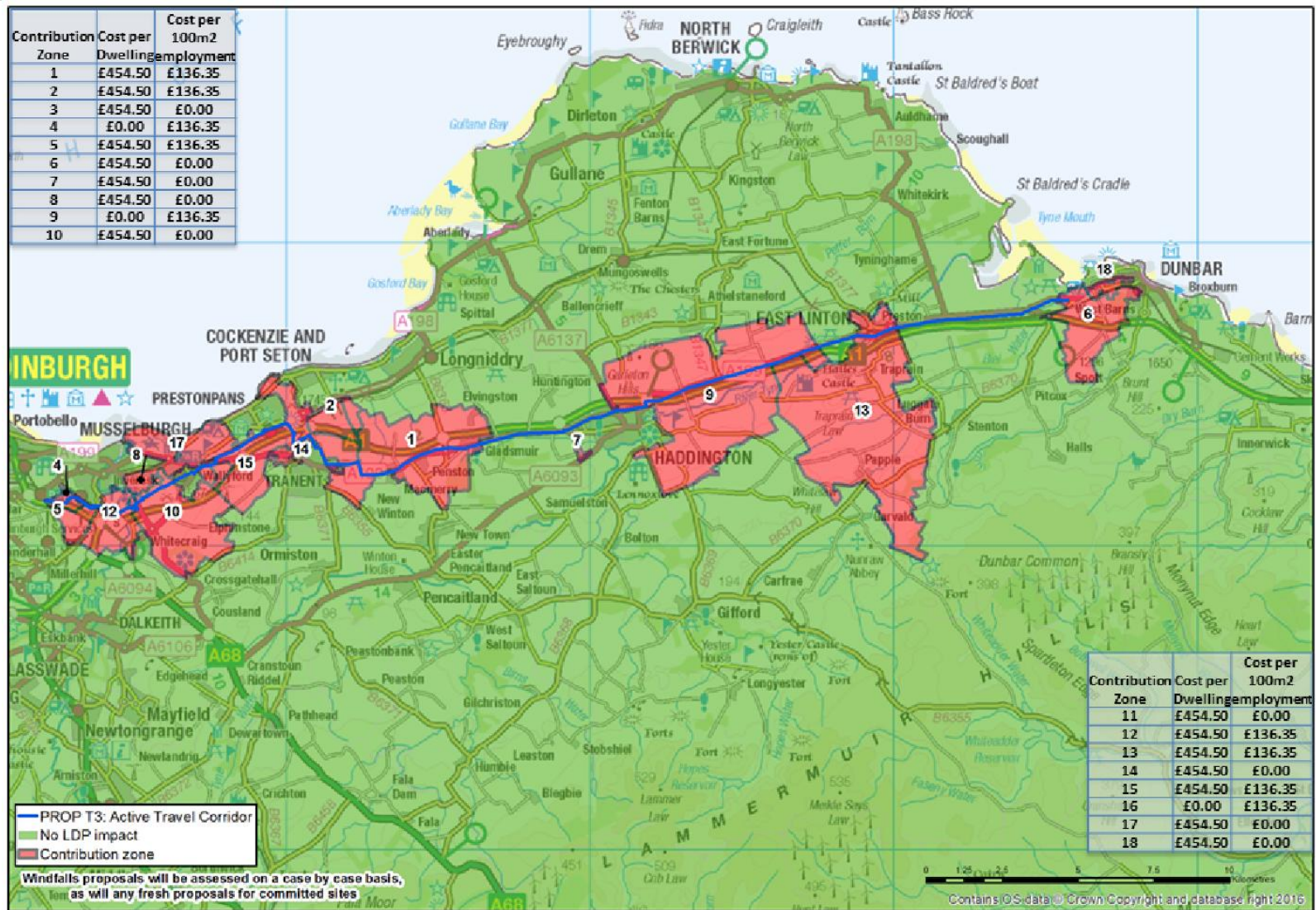
TRANSPORTATION CONTRIBUTION ZONES

How to Interpret and Apply the Transportation Contribution Zone Tables and Maps

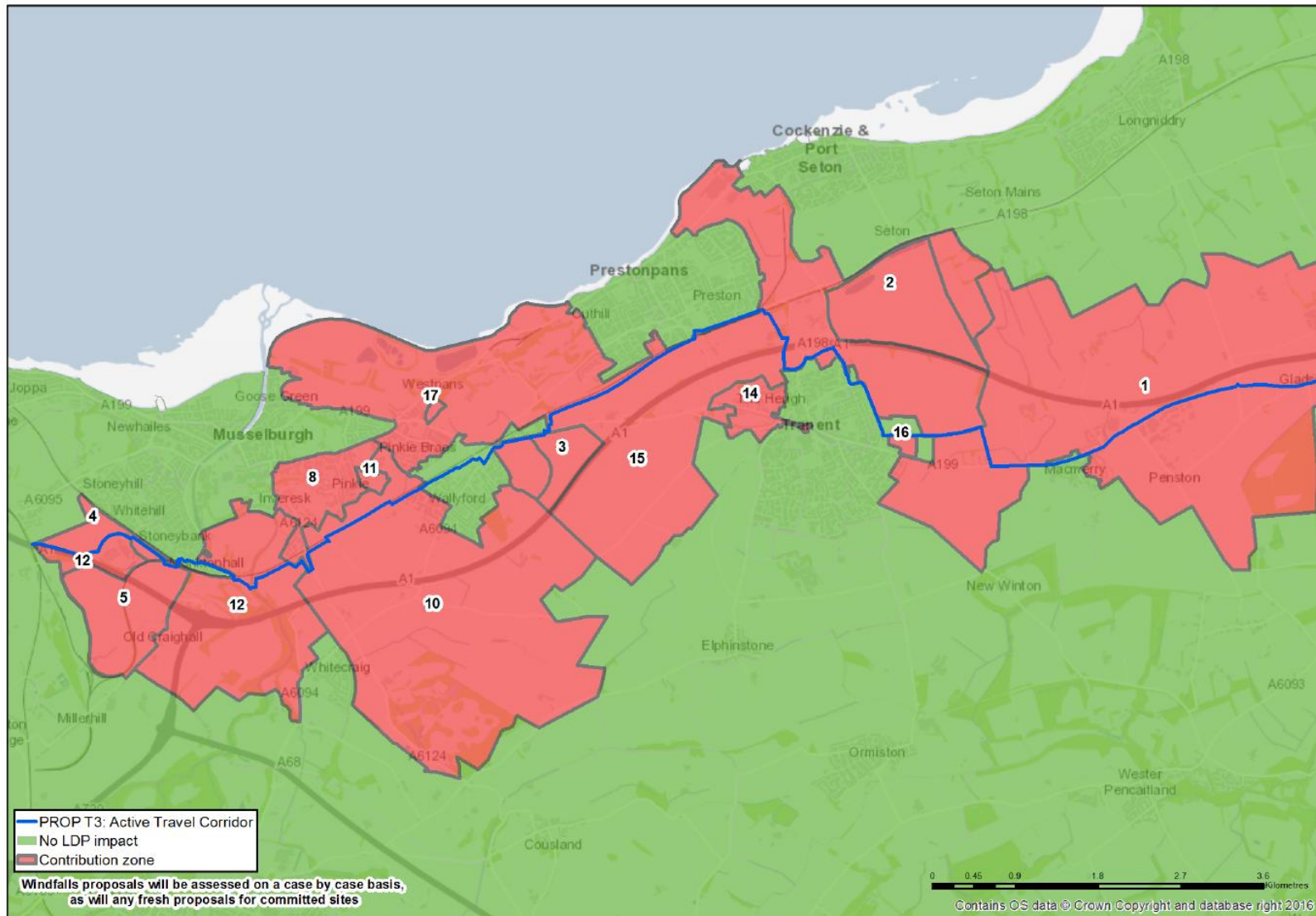
Applicants must use the Transportation Developer Contribution Zone maps that follow to:

1. Determine the Transportation Contribution Zone(s) within which the proposed development would be located;
2. Cross reference the relevant contribution zone number(s) to the relevant part(s) of the map key(s);
3. Using the relevant map key(s) consider the type and scale of development proposed (proposed land use(s) and scale of these - e.g. number of homes or m² floor space of particular land uses proposed – and apply the relevant per dwelling and / or m² developer contribution requirement to the proposal. This shall be done by:
 - a. Multiplying the developer contribution requirement (cost per dwelling or cost per m² floor space) by the overall number of dwellings proposed and / or the overall area of floor space (gross) proposed;
 - b. From step a, add together the total contribution by land use if the proposal is for a mix of land uses included within the Developer Contribution Framework.
4. Importantly, this shall be done for each of the Transportation Developer Contribution Zones relevant to the proposal – e.g. for active travel, public transport and for the trunk and local road network;
5. Apply the content of the Development Plan overall, including the outline delivery strategy of this guidance set out for each local area, as well as any site briefs or any further developer contribution requirements identified through the Development Management processes, or preferably through earlier engagement with service or infrastructure providers.

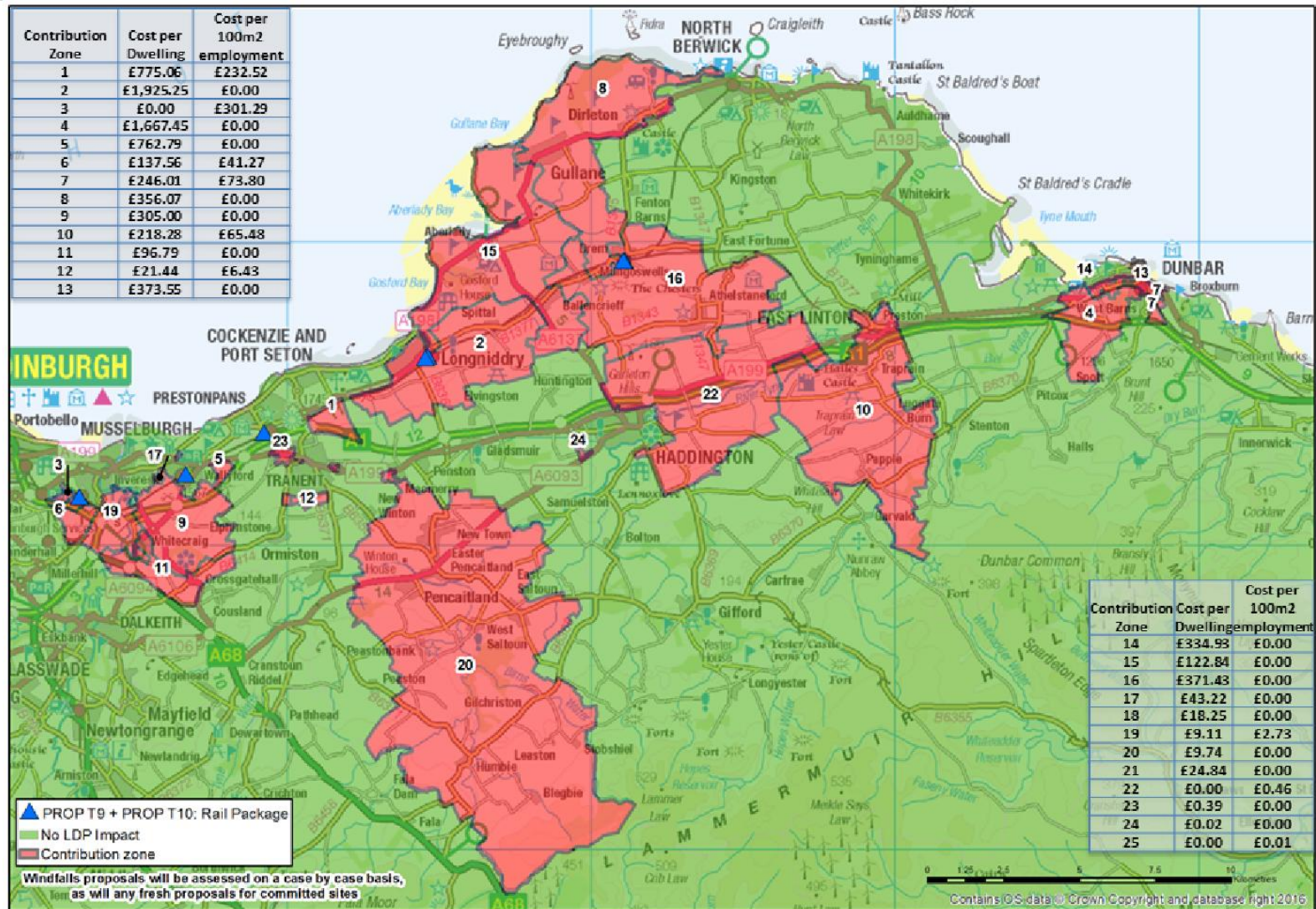
Segregated Active Travel Corridor Contribution Zones



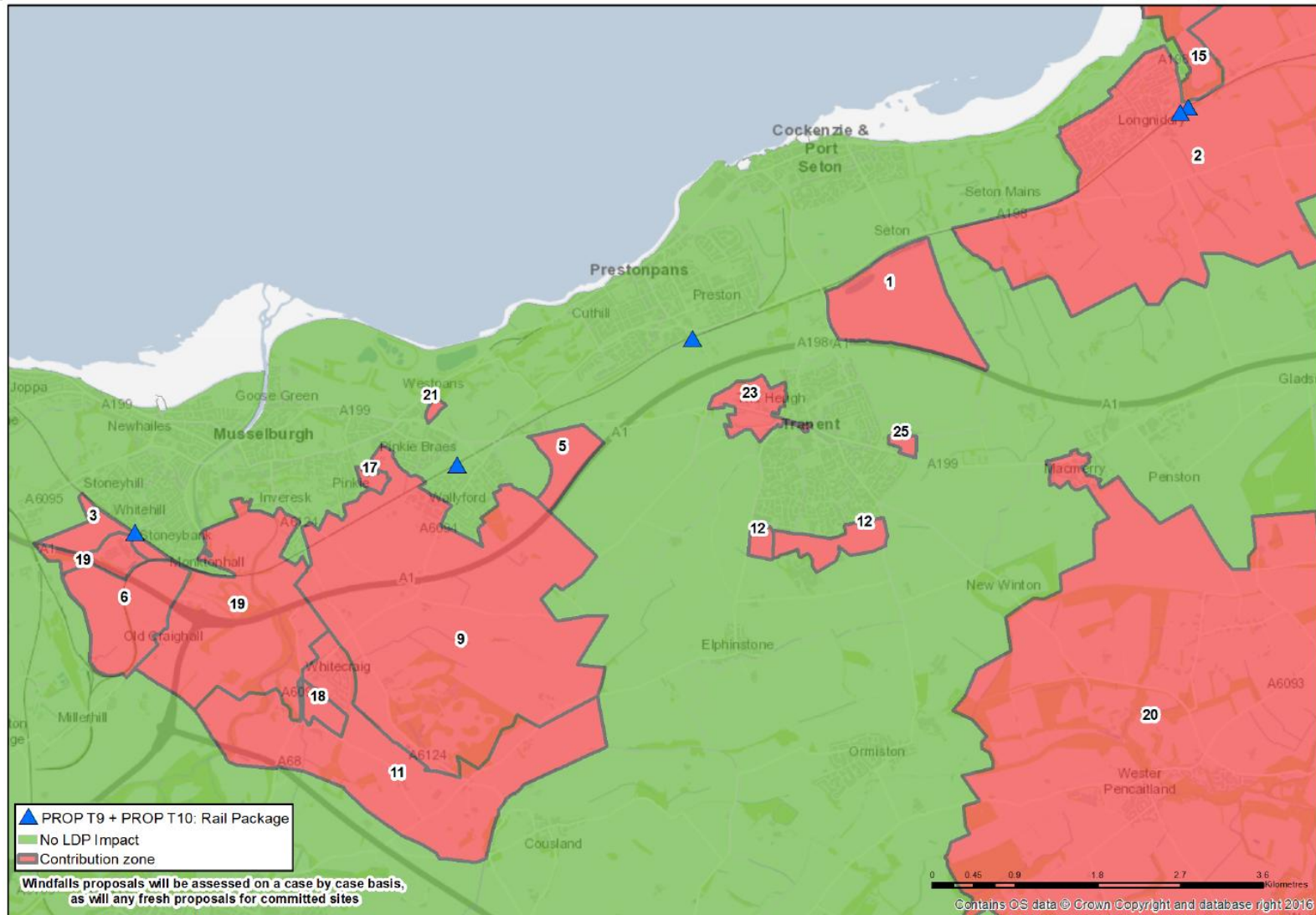
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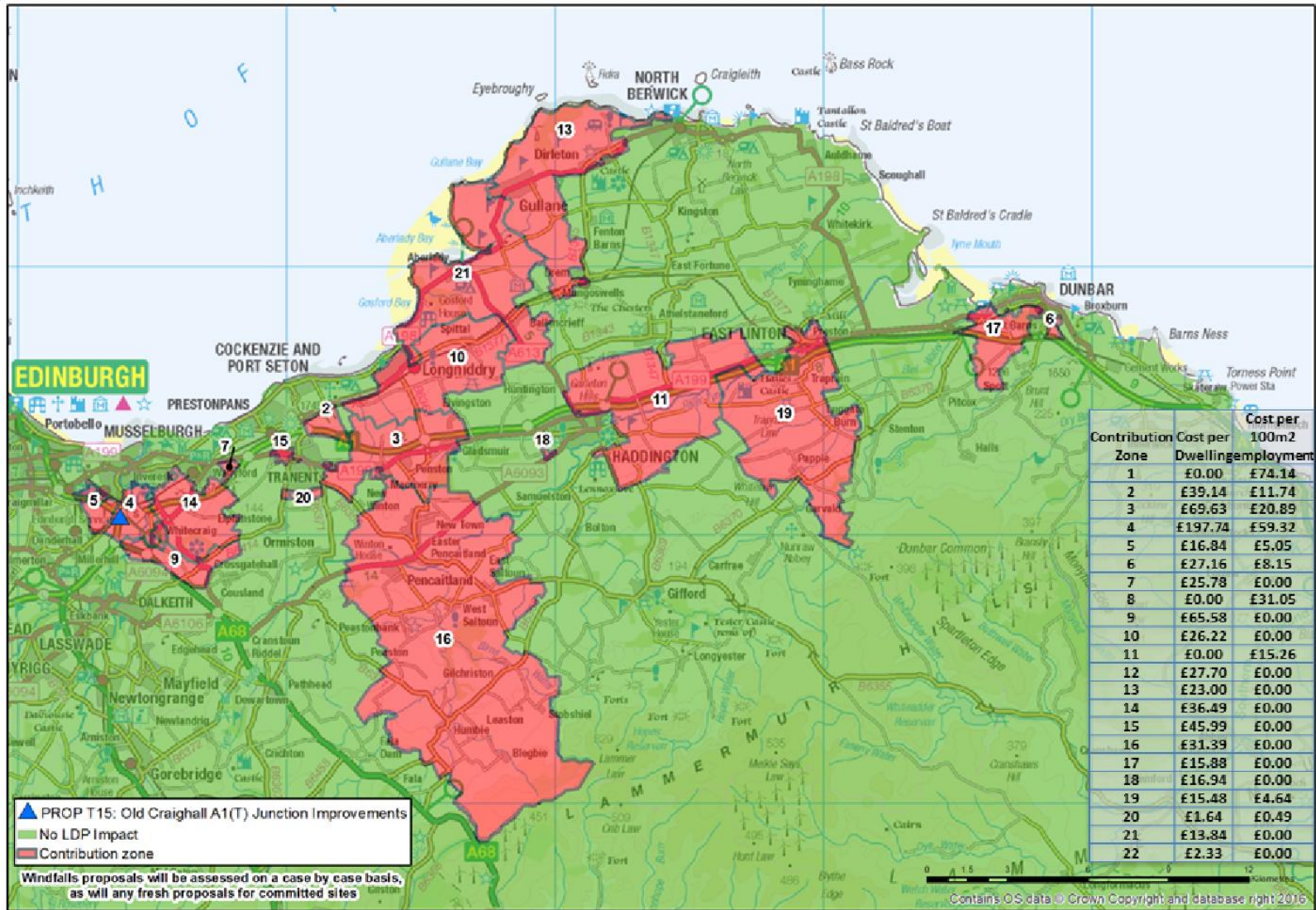
Rail Network Improvements Contribution Zones



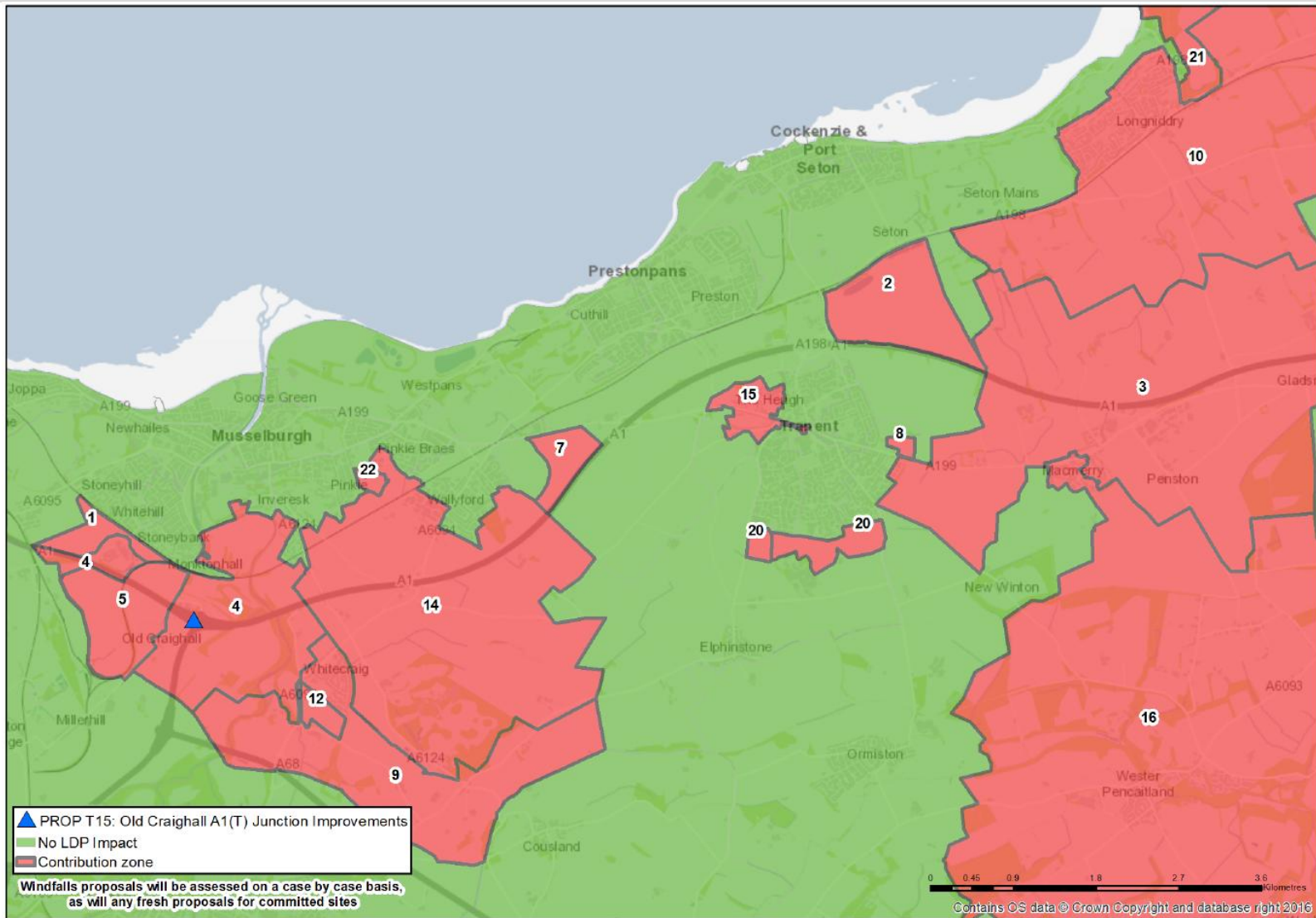
Rail Network Improvements Contribution Zones Inset



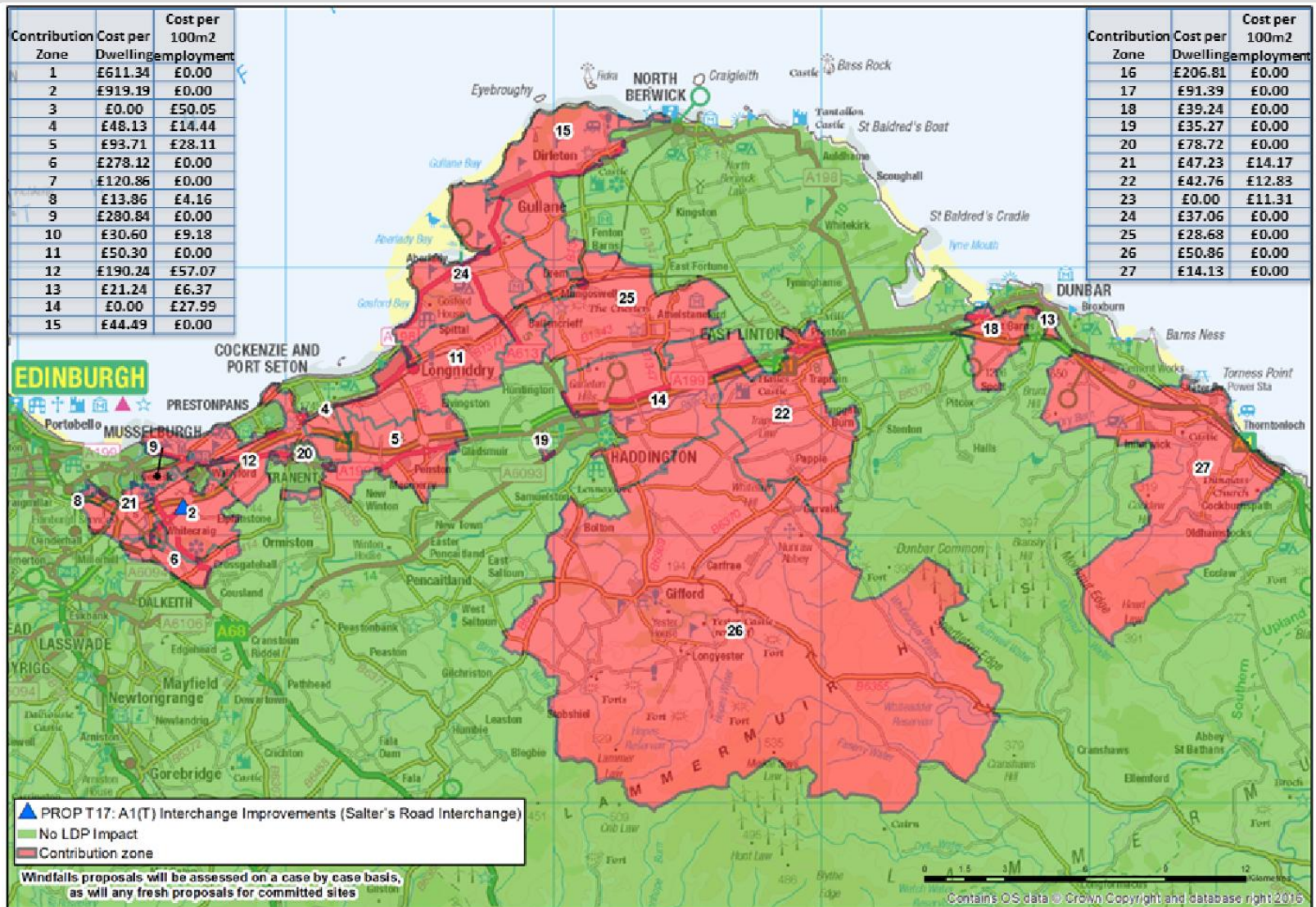
Old Craighall A1(T) / A720 Junction Improvements Contribution Zones



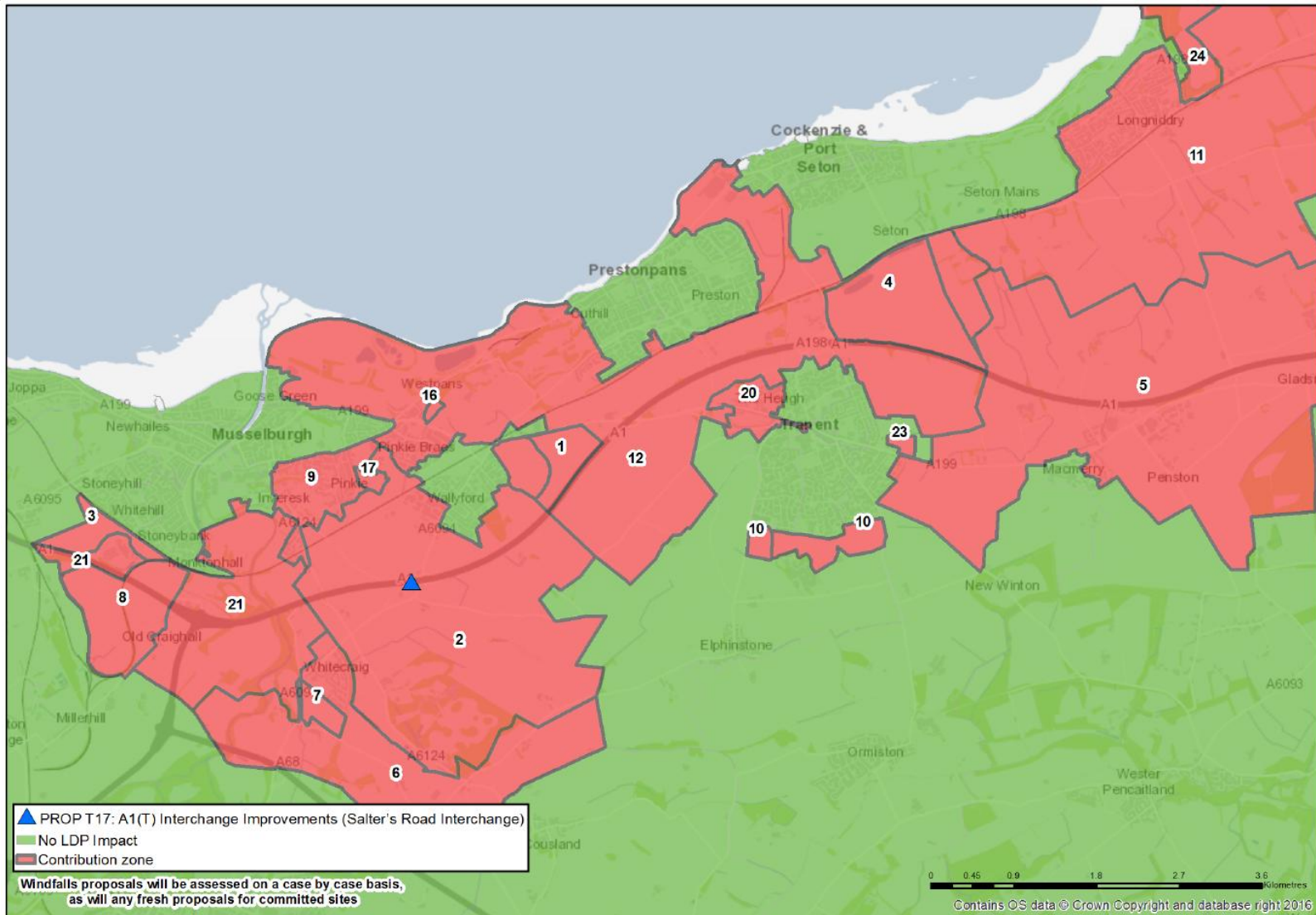
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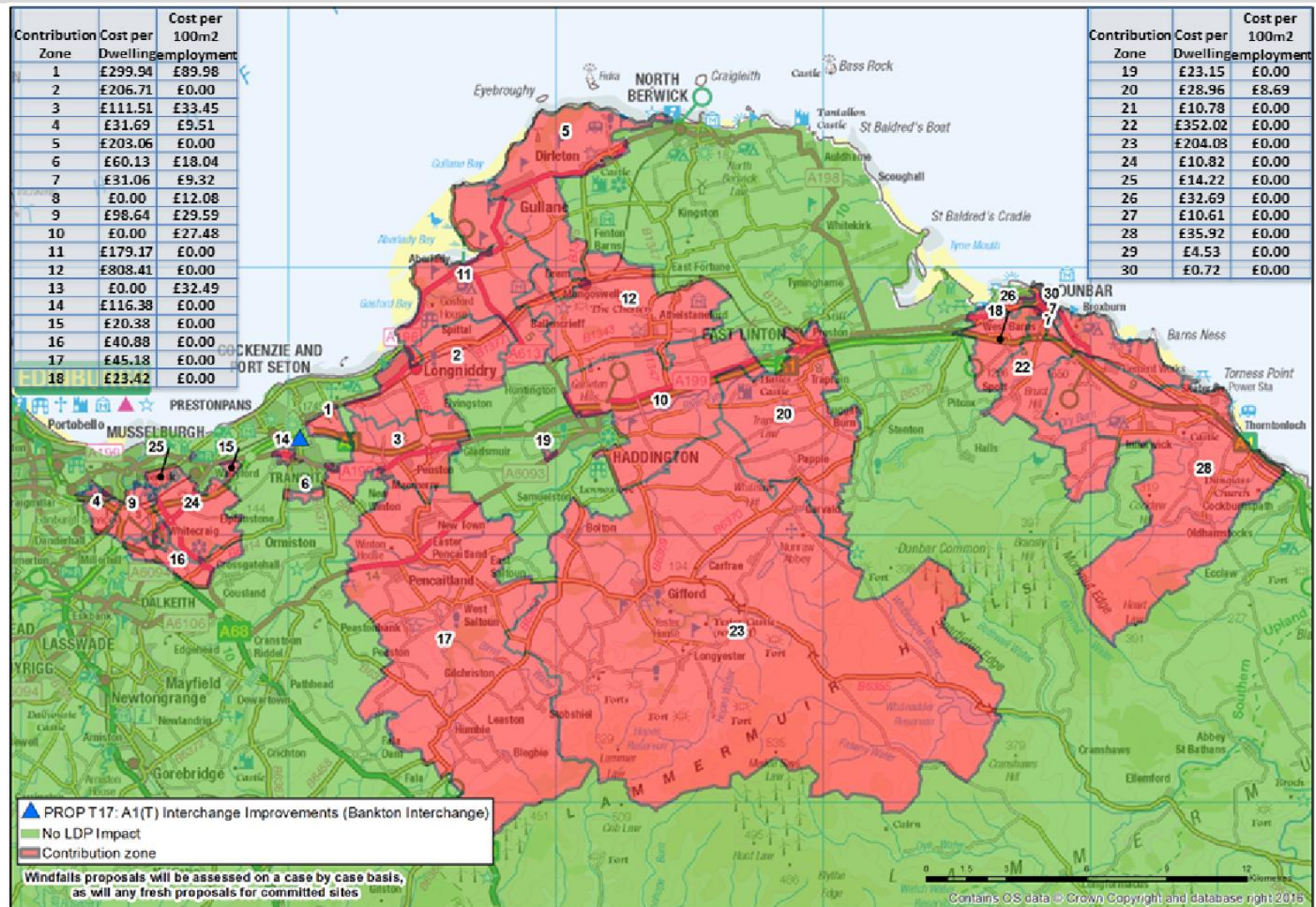
Salter's Road A1(T) Interchange Improvements Contribution Zones



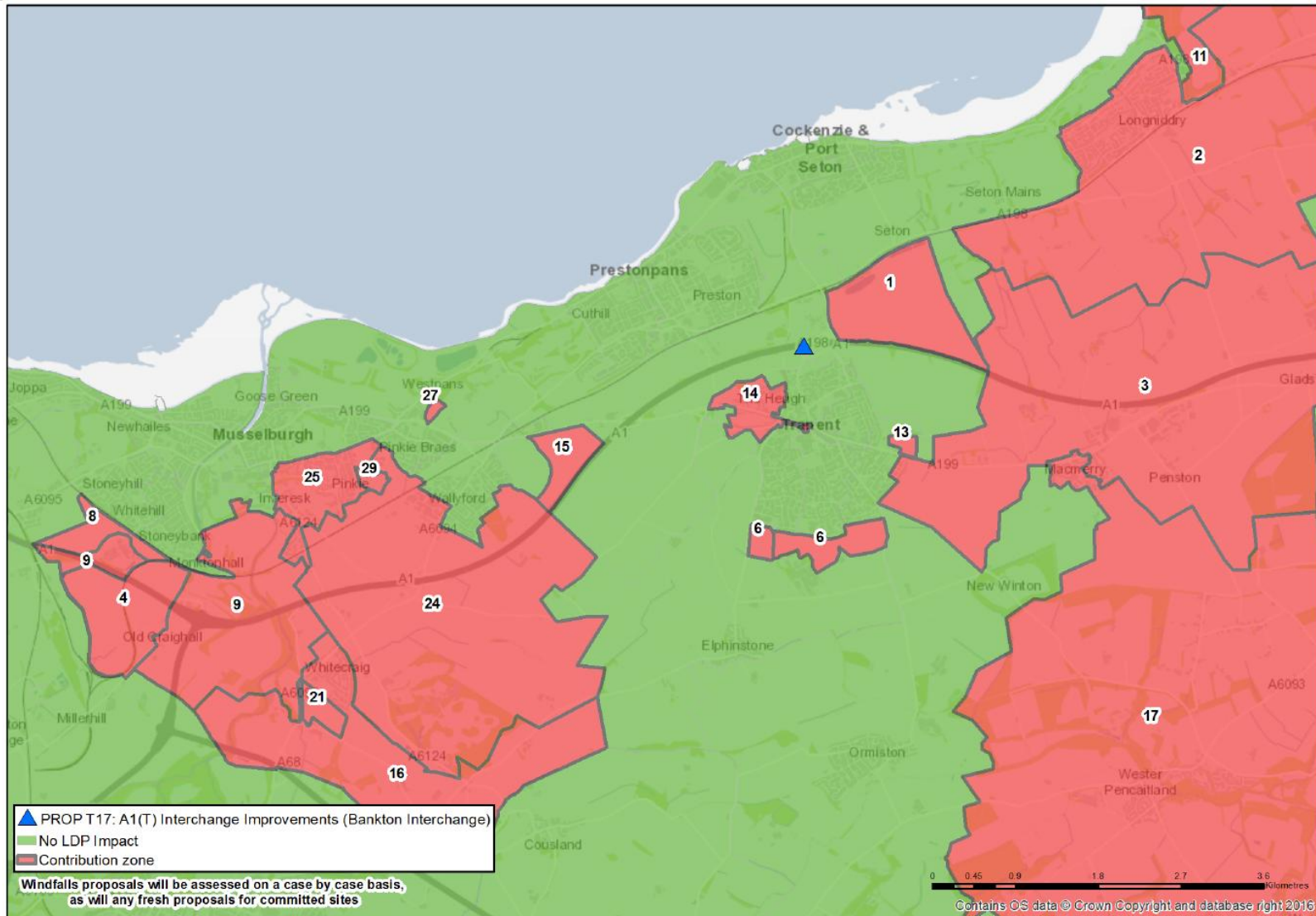
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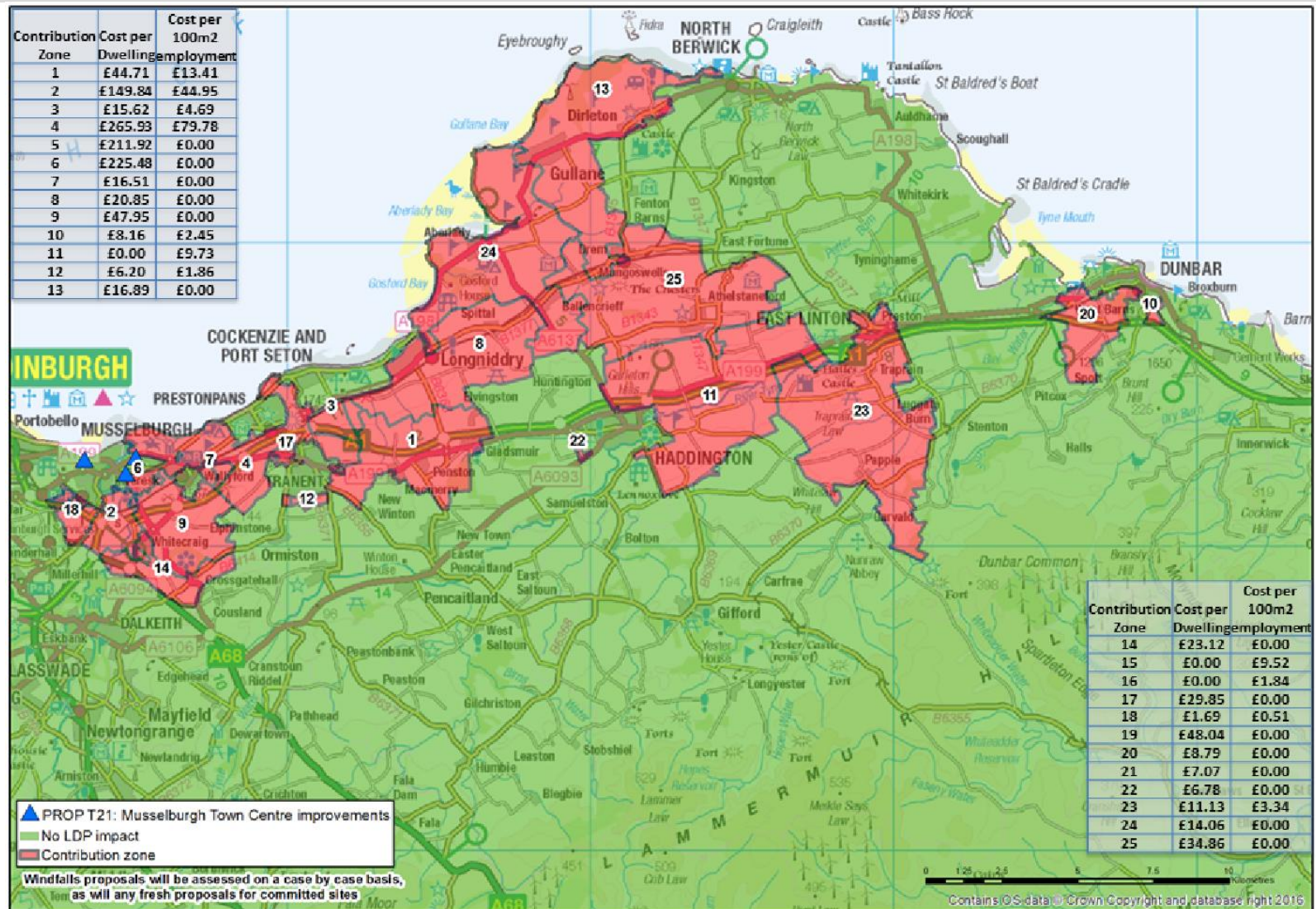
Bankton A1(T) Interchange Improvements Contribution Zones



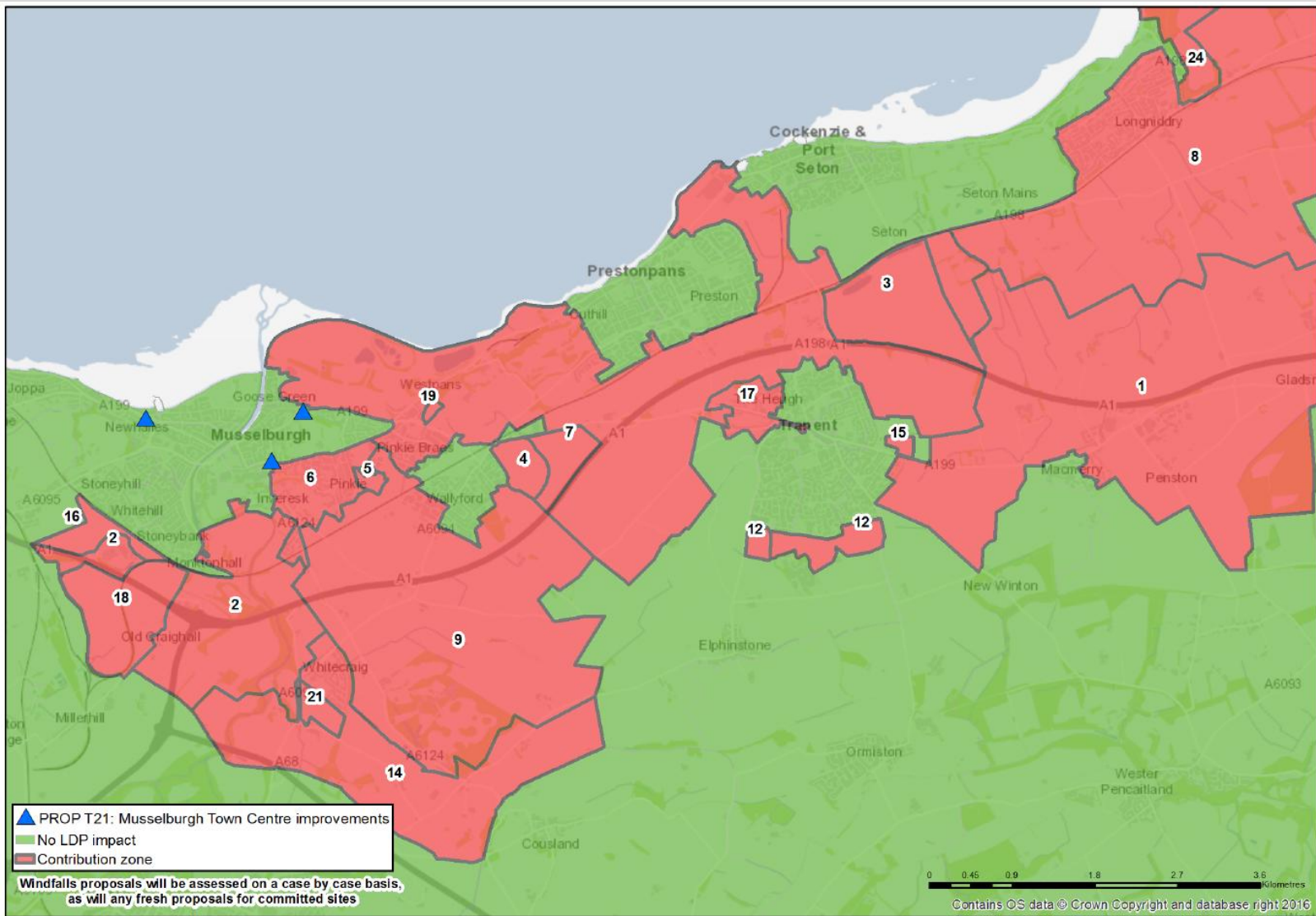
Bankton A1(T) Interchange Improvements Contribution Zones Inset



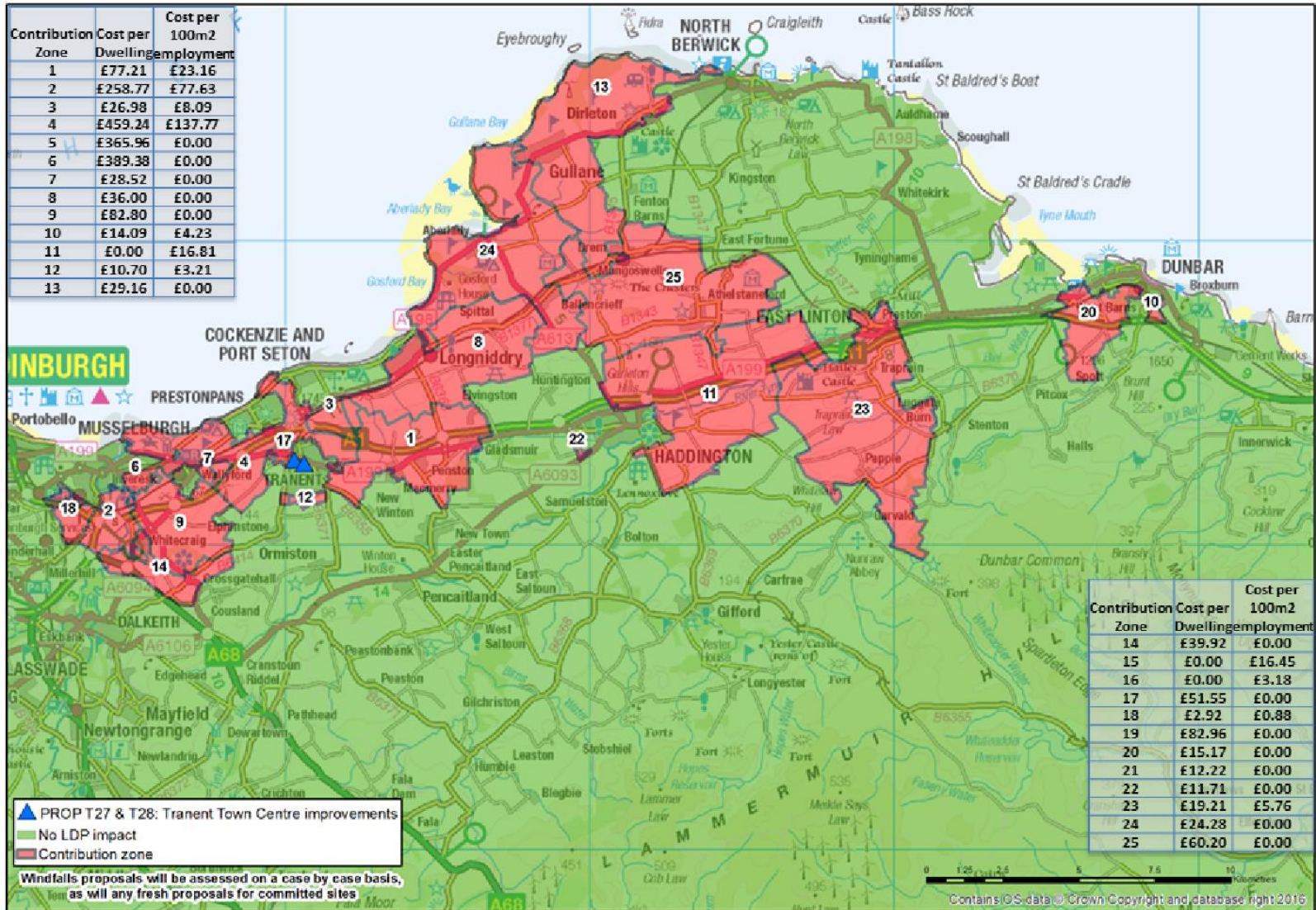
Mitigation of Cumulative Impacts in Musselburgh Contribution Zones



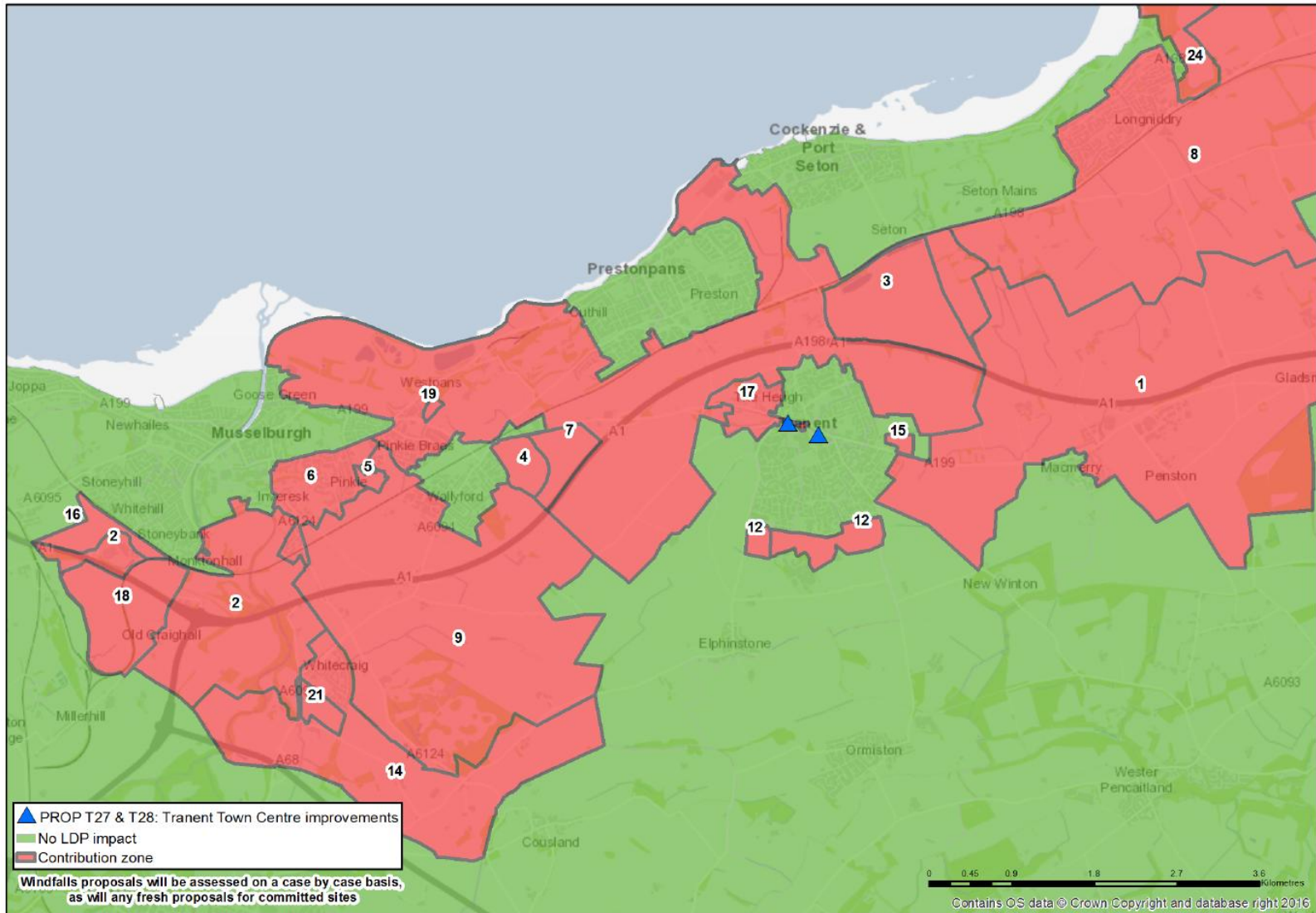
Mitigation of Cumulative Impacts in Musselburgh Contribution Zones Inset



Mitigation of Cumulative Impacts at Tranent High Street Contribution Zones



Mitigation of Cumulative Impacts at Tranent High Street Contribution Zones Inset



LOCAL CONTRIBUTION ZONES

How to Interpret and Apply the Local Contribution Zone Tables and Maps

Applicants must use the Local Developer Contribution Zone maps at Appendix 1 as well as the tables that follow to:

1. Determine the Local Contribution Zone(s) within which the proposed development would be located;
2. Cross reference the relevant contribution zone(s) to the relevant area table(s);
3. Using the relevant area table consider the type and scale of the proposed development - i.e. the number of homes proposed – and apply the relevant per dwelling developer contribution requirement to the proposal. This shall be done by:
 - a. Multiplying the developer contribution requirement (cost per dwelling) by the overall number of dwellings proposed;
4. Importantly, this shall be done for each of the Contribution Zones relevant to the proposal – e.g. for Education (pre-school, primary and secondary), Affordable Housing, Sports Pitches and Changing Accommodation and for Health and Social Care as relevant etc;
5. Apply the content of the Development Plan overall, including the outline delivery strategy of this guidance set out for each local area, as well as any site specific requirements, such as the servicing of employment land, any site briefs or any further developer contribution requirements identified through the Development Management processes, or preferably through earlier engagement with service or infrastructure providers.

Musselburgh Area Contribution Zone

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESURE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Secondary School Capacity</i>			
<i>Musselburgh Secondary School Capacity</i>	£4,073.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Secondary School Campus Land</i>	£237.00 per house	N/A	<i>In-kind (delivery of serviced school campus land) / Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Capacity</i>			
<i>Craighall</i>	£8,827.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Craighall – school campus</i>	Minimum 3.1 ha	N/A	<i>In-kind (delivery of serviced school campus land)</i>
<i>Campie</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Stoneyhill</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Musselburgh Burgh</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pinkie St Peter's</i>	£6,729.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Wallyford</i>	£7,153.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Whitecraig</i>	£8,691.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Whitecraig – additional school campus 0.6ha</i>	£927.00 per house	N/A	<i>In-kind (delivery of serviced school campus land)</i>
<i>Loretto RC</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>

AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (delivery of serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>
SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Land at Craighall (Proposal MH1)</i>	£1,060.00 Per house	N/A	<i>In-kind (provided in developer led delivery solution) / Financial Payment</i>
<i>Land at Old Craighall Village (Proposal MH2)</i>	£1,060.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Land at Dolphinstone (Proposal MH10)</i>	£761.00 Per house	N/A	<i>In-kind (provided in developer led delivery solution) / Financial Payment</i>
<i>Land at Howe Mire (Proposal MH13)</i>	£761.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Whitecraig South (Proposal MH14)</i>	£1,270.00 Per house	N/A	<i>In-kind (provided in developer led delivery solution) / Financial Payment</i>
<i>Whitecraig North (Proposal MH15)</i>	£1,270.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	N/A	N/A	<i>Infrastructure Fund / Financial Payment</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See LDP)	N/A	<i>In-kind (delivery of serviced employment land)</i>

Musselburgh Area Outline Delivery Strategy

An outline of the strategy for delivering the additional capacity in infrastructure and facilities for LDP allocations in the Musselburgh area is set out below:

- Land at Craighall (Proposal MH1) will provide the focus for the provision of new education and community facilities in west Musselburgh. The site will provide a new pre-school and primary school (minimum campus of 3.1ha) to service demand that will be generated by that site and sufficient serviced land within Proposal MH1 must be provided by the developer for this, preferably to the north west of Old Craighall village. The Craighall Primary Education Contribution Zone is shown at Appendix 1. The Craighall site will provide three full size grass sport pitches and a six team changing facility, preferably near the new primary school. As part of the open space provision on the site the developer shall also provide allotments. Contributions may be required towards other facilities or infrastructure, such as open space;
- Developer contributions towards the sports pitches and changing accommodation at Craighall (Proposal MH1) will be required from uncommitted dwellings on Land at Old Craighall village (Proposal MH2) in line with their proportional impact and the contribution zone for these facilities shown at Appendix 1. The Land at Old Craighall (Proposal MH2) is within both the Campie Primary School and Whitecraig Primary School contribution zones. Campie Primary School has capacity to accommodate the committed dwellings (50 Units) from the Land at Old Craighall, but cannot expand; contributions towards the expansion of Whitecraig Primary School will be required from the remaining Land at Old Craighall (circa 50 units) on a proportionate basis with Land at Whitecraig South (Proposal MH14) and Land at Whitecraig North (Proposal MH15) in line with the contribution zone for that facility as shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Within Musselburgh, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. The committed Pinkie Mains site (Proposal MH6) has committed contributions to expand Pinkie St Peter's Primary School and will provide a seven-a-side sports pitch on-site. The uncommitted sites at Edenhall Hospital (Proposal MH5), Pinkie Mains Intensification (Proposal MH7) and Levenhall (Proposal MH8) all lie within the Pinkie St Peter's Education Contribution Zone. Contributions may also be required towards other facilities or infrastructure, such as open space;
- At Wallyford, the original allocation (Proposal MH9) is committed and under construction. It will provide a replacement Wallyford Primary School and one 3G synthetic pitch and one grass pitch and a four team changing facility as well as other community facilities, including allotments. Land at Dolphingstone (Proposal MH10) and Land at Howe Mire (Proposal MH13) will contribute to the expansion of the replacement Wallyford Primary School. Land at Dolphingstone (Proposal MH10) will provide as part of its open space requirement land for an additional grass sports pitch and changing accommodation for a further two teams and contribute capital costs towards these facilities, preferably as an expansion of the committed sports pitches and changing facilities within the original Wallyford allocation (Proposal MH9). As part of the open space provision for the Land at Dolphingstone

(Proposal MH10) the developer shall provide allotments. A new secondary school for the Musselburgh area will be provided at expanded Wallyford, either within Proposal MH9 or MH10, but preferably within Proposal MH9. Contributions may also be required towards other facilities or infrastructure, such as open space;

- Land at Barbachlaw (Proposal MH12) is committed but not yet under construction;
- Land at Whitecraig South (Proposal MH14) and Land at Whitecraig North (Proposal MH15) will make contributions towards the expansion of Whitecraig Primary School as well as towards a new full size grass sports pitch and two team changing accommodation. Land within Whitecraig South (Proposal MH14) is safeguarded adjacent to the existing primary school and parkland. To deliver this 0.6ha will be required for the primary school campus land and the cost for this will be shared with Whitecraig North (Proposal MH15); the balance of the safeguarded area will be provided as part of the open space provision for Whitecraig South (Proposal MH14). Contributions may also be required towards other facilities or infrastructure, such as open space;
- There is sufficient accommodation within the Musselburgh Primary Care Centre to accommodate additional GP services in the Musselburgh area to accommodate planned development and consequently no developer contributions towards the expansion of this facility will be sought at this stage;
- Elsewhere, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. Contributions may also be required towards other community facilities, such as open space.

All relevant sites will make any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. Developers must also make provision for other site specific requirements identified by the LDP, any relevant development framework or brief or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

Prestonpans Area Contribution Zone

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LEISURE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Secondary School Capacity</i>			
<i>Preston Lodge High School</i>	£3,967.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Capacity*</i>			
<i>Longniddry</i>	£6,989.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Cockenzie</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Prestonpans Infant</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Prestonpans Primary</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>St Gabriel's RC</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>

AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (delivery of serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>
SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Longniddry South (Proposal PS1)</i>	£411.00 Per house	N/A	<i>In-kind (provided in developer led delivery solution) / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	N/A	N/A	<i>Infrastructure Fund / Financial Payment / In-kind (if serviced land or whole facility provided within a site)</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See LDP)	N/A	<i>In-kind (delivery of serviced employment land)</i>

Prestonpans Area Outline Delivery Strategy

An outline of the strategy for delivering the additional capacity in infrastructure and facilities for LDP allocations in the Prestonpans area is set out below:

- Land at Longniddry South, Longniddry (Proposal PS1) and Land at Dolphingstone North, Prestonpans (Proposal PS2), Prestonpans, will provide the focus for the provision of new community facilities in the Prestonpans area;
- Land at Longniddry South (Proposal PS1) will provide contributions towards the expansion of Longniddry Primary School, the capacity of which could be made sufficient to accommodate the impact of Longniddry South. The Longniddry Primary Education Contribution Zone is shown at Appendix 1. The developer of this site will also provide a full size grass sports pitch and shall provide for the enhancement of pedestrian crossing facilities at the A198 within Longniddry so that use may be made of the existing changing pavilion at Recreation Park. Contributions may also be required towards other community facilities, such as open space;
- Land at Dolphingstone North, Prestonpans (Proposal PS2) is committed but not yet under construction. Developer contributions towards the provision of pre-school and primary school capacity at Prestonpans Infant and Primary Schools are committed. The Prestonpans Primary Education Contribution Zone is shown at Appendix 1. To the west of this site, the developer will also provide serviced land for a potential cemetery in line with LDP Proposal OS5;
- With the committed expansions of the Prestonpans Group Practice in Prestonpans and The Harbours Medical Practice in Cockenzie there will be sufficient accommodation in this area to provide additional GP services for planned development and consequently no developer contributions towards the expansion of these facilities will be sought at this stage. Longniddry South (Proposal PS1) is within The Harbours Medical Practice boundary. Modification of catchment boundaries will be needed to provide access to capacity for the land at Dolphingstone North (Proposal PS2);
- Elsewhere, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. Contributions may also be required towards other community facilities, such as open space.

All relevant sites will make any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. Developers must also make provision for other site specific requirements identified by the LDP, any relevant development framework or brief or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

Blindwells Contribution Zone (Current Allocation)

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESUIRE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Secondary School Capacity</i>	£3,967.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Capacity*</i>			
<i>New Primary School</i>	£9,872.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Campus Land**</i>	Min 4 hectares	N/A	<i>In-kind (delivery of serviced campus land) / Infrastructure Fund / Financial Payment</i>
AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>
SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Indoor Sports</i>	£1,077.00 Per house	N/A	<i>In-kind (provided in developer led school delivery solution) / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	£1250.00 Per house	N/A	<i>In-kind (serviced land in site) / Financial Payment</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See LDP)	N/A	<i>In-kind (delivery of serviced employment land)</i>

Blindwells Outline Delivery Strategy

An outline of the strategy for delivering the capacity in infrastructure and facilities for the current Blindwells allocation (Proposal BW1) is set out below:

- In terms of education provision, the developer of the land at Blindwells will provide for pre-school and primary school capacity as well as secondary school capacity to serve the needs of that development. Proposal ED3 of the Local Development Plan explains that this capacity will be provided through time as follows:
 - To allow for a new pre-school and primary school facility to be delivered in an appropriate location on the Blindwells site (Proposal BW1), and for a viable pupil roll to develop from the site, pupils from Blindwells new settlement will be hosted at Cockenzie Primary School where the new primary school for Blindwells will be established on a temporary basis until the permanent primary school for Blindwells is delivered on site BW1;
 - A new permanent pre-school and primary school facility for the current Blindwells allocated site will be delivered on the allocated site (Proposal BW1). The developer shall also provide a campus of no less than 4 hectares so these education facilities can be delivered;
 - Additional secondary school capacity for the current allocated Blindwells site (BW1) shall be provided at Preston Lodge High School and the developer shall provide contributions towards the expansion of that facility on a pro-rata basis with other sites within the Prestonpans Secondary Contribution Zone as shown in Appendix 1.
- Provision for community services (e.g. library / community meeting spaces / sports hall facilities etc) shall be made by the developer by contributions towards primary education capacity described above, since the facility will be shared by the services when appropriate;
- The Blindwells site is not within any existing GP practice boundary. The impact of the development cannot be accommodated on a permanent basis by the neighbouring practices in Tranent, Cockenzie or Prestonpans, although a small number of patients will be provided for in the short term to allow for new GP facilities to be delivered in a suitable location on the Blindwells site (Proposal BW1);
- Provision for outdoor sports and changing accommodation will be required in the form of three full size grass sports pitches, changing accommodation for six teams, a cricket wicket and four tennis courts. These formal facilities and changing accommodation should be located nearby the new primary school so that pupils can benefit from the shared use of the wider recreational areas outwith the schools' campus. This should be achieved through the provision of a Town Park that will also provide informal open space and recreation areas, including allotments and equipped play spaces;

The developer shall make provision for any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. The developer must also make provision for other site specific requirements identified by the LDP, the relevant Development Framework or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

Tranent Area Contribution Zone

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESUIRE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Ross High School</i>	£4,709.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Secondary School Campus Land**</i>		N/A	<i>In-kind (delivery of serviced school campus land)</i>
<i>Pre-school & Primary School Capacity*</i>			
<i>Windygoul</i>	£7,287.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Windygoul additional campus Total 1.124ha (0.624 ha Developers / 0.5ha ELC)</i>	£920.00 per house		<i>In-kind (delivery of serviced school campus land) / Infrastructure Fund / Financial Payment</i>
<i>Sanderson's Wynd</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Elphinstone</i>	£5,875.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Ormiston</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Macmerry</i>	£4,765.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pencaitland</i>	£1,998.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Saltoun</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>St Martin's RC</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>

AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (delivery of serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>
SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Windygoul South (Proposal TT1)</i>	£276.00 Per house	N/A	<i>In-kind (provided in developer led delivery solution) / Financial Payment</i>
<i>Lammermoor Terrace (Proposal TT4)</i>	£382.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Bankpark (Proposal TT5)</i>	£106.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Elphinstone (Proposal TT11)</i>	£625.00 Per house	N/A	<i>In-kind / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	N/A	N/A	<i>Infrastructure Fund / Financial Payment / In-kind (if serviced land or whole facility provided within a site)</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See LDP)	N/A	<i>In-kind (delivery of serviced employment land)</i>

Tranent Area Outline Delivery Strategy

An outline of the strategy for delivering the additional capacity in infrastructure and facilities for LDP allocations in the Tranent area is set out below:

- Land at Windygoul South (Proposal TT1) will provide the focus for the provision of new education and community facilities in Tranent. The site will provide for an expansion of pre-school and primary school campus land for Windygoul Primary School (with minimum area of 1.124ha) and sufficient land within Proposal TT1 to the south of the current primary school campus must be provided for this by the developer, as shown on the Proposals Map. The Windygoul Primary Education Contribution Zone is shown at Appendix 1. To the west of the area of the primary school campus expansion the developer of Proposal TT1 shall provide land for a full size grass community sports pitch as part of the open space provision for Windygoul South, the capital costs of which shall be shared between the developer of Windygoul South (Proposal TT1) and Lammermoor Terrace (Proposal TT4). Changing accommodation for this sports pitch shall be made available at Windygoul Primary School. Allotments shall also be provided as part of the open space provision for site TT1 in accordance with LDP Proposal OS7. Contributions may be required towards other facilities or infrastructure, such as open space;
- Land at Lammermoor Terrace (Proposal TT4) shall provide proportional developer contributions towards the expansion of Windygoul Primary School, including for the additional campus land, on a pro-rata basis with Proposal TT1. The Windygoul Primary Education Contribution Zone is shown at Appendix 1. The developer of Proposal TT4 shall also make contributions towards the enhancement of community sports facilities at Polson Park on a pro-rata basis with the site at Bankpark Grove (Proposal TT5). Contributions may also be required towards other facilities or infrastructure, such as open space;
- Land at Bankpark Grove can be accommodated within the available capacity at pre-school and primary school level at Sanderson's Wynd Primary School. The developer of Bankpark Grove (Proposal TT5) shall make contributions towards the enhancement of community sports facilities at Polson Park on a pro-rata basis with the site at Lammermoor Terrace (Proposal TT4). Contributions may also be required towards other facilities or infrastructure, such as open space;
- The developers of Land at Macmerry North (Proposal TT7) and Gladsmuir East (Proposal TT9) shall make contributions towards the expansion of Macmerry Primary School, including any necessary campus land expansion. The Macmerry Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- At Ormiston the developer of Limeyland Road (Proposal TT10) shall make proportional contributions towards the expansion of Ormiston Primary School for this committed site. The Ormiston Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;

- At Elphinstone, the developers of land at Elphinstone West (Proposal TT11) shall make contributions towards the expansion of Elphinstone Primary School, including any necessary campus land expansion. The Elphinstone Primary Education Contribution Zone is shown at Appendix 1. The developer of this site shall make contributions towards the off-site enhancement of Elphinstone playing field changing facility as well as provide facilities for vehicle turning and parking for the sports facility on the Elphinstone West site. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Contributions will be required from the developers of sites at Woodhall Road (Proposal TT12), and Lempockwells Road (Proposal TT13) which is committed but not yet under construction, and Park View (Proposal TT14) Pencaitland towards the provision of additional education capacity at Pencaitland Primary School. The Pencaitland Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Sufficient capacity currently exists within education facilities to accommodate the planned development at East Saltoun (Proposal TT16) and Humble North (Proposal TT15). The relevant Contribution Zones are shown at Appendix 1. Contributions may be required from these sites towards other facilities or infrastructure, such as open space;
- In accordance with LDP Proposal HSC2, land to the south of the west of Tranent Medical Practice may be developed to provide a further expansion of the facility to provide additional capacity for GP services should there be a need. Ormiston Medical Practice has recently relocated to new premises and has sufficient capacity to accommodate planned development. No developer contributions will be sought at this stage towards the expansion of these facilities;
- Elsewhere, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. Contributions may also be required towards other community facilities, such as open space.

All relevant sites will make any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. Developers must also make provision for other site specific requirements identified by the LDP, any relevant development framework or brief or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

Haddington Area Contribution Zone

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESUIRE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Secondary School Capacity</i>			
<i>Knox Academy</i>	£5,815.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Capacity*</i>			
<i>Haddington Infant</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>King's Meadow</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Letham Mains</i>	£8,400.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Yester</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>St Mary's RC</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (delivery of serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>

SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Letham Mains Expansion (Proposal HN2)</i>	£336.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	N/A	N/A	<i>Infrastructure Fund / Financial Payment / In-kind (if serviced land or whole facility provided within a site)</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See LDP)	N/A	<i>In-kind (delivery of serviced employment land)</i>

Haddington Area Outline Delivery Strategy

An outline of the strategy for delivering the additional capacity in infrastructure and facilities for LDP allocations in the Haddington area is set out below:

- Land at Letham Mains, Haddington (Proposal HN1) will provide the focus for the provision of new education and community facilities in Haddington. The Council is minded to grant this proposal and the associated decision sets out the basis for the necessary S75 legal agreement. The site will provide for a new Letham Mains Primary School and sufficient land within Proposal HN1 must be provided for this by the developer, as shown on the Proposals Map. The Letham Mains Primary Education Contribution Zone is shown at Appendix 1. The developer of Proposal HN1 shall provide land for a full size grass community sports pitch and changing accommodation as part of the open space provision for the site. The developer of this site shall make contributions towards the expansion of Aubigny Sport centre, Haddington, in accordance with LDP Proposal HN1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- The developer of the Letham Mains Expansion (Proposal HN2) shall make contributions towards the expansion of Letham Mains Primary School within Proposal HN1, and also towards the provision of any additional campus land for the facility should this be required and deliverable (by way of modification to the minded to grant masterplan for Proposal HN1 if necessary). The Letham Mains Primary Education Contribution Zone is shown at Appendix 1. The developer of Proposal HN2 shall provide a grass seven-a-side sports pitch as part of the open space provision for the site, and users of this facility shall make use of the changing accommodation to be provided within Proposal HN1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Land at Dovecot (Proposal HN3), Gateside East (Proposal HN4), Gateside West (Proposal HN5), Land at Alderston (Proposal HN7) are all committed developments. Contributions from the developer of these sites towards the provision of education capacity at Haddington Infant School and King's Meadow Primary School have been committed. The relevant Haddington Education Contribution Zone for these schools is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- The Lammermuir, Orchard and Tyne Medical Practices are within the Newtonport Surgery which will not have sufficient capacity to provide GP services to accommodate planned development in the Haddington area. Additional capacity will need to be provided, potentially in the redevelopment of Roodlands Hospital or elsewhere and since these practices are run by an independent contractors no developer contributions will be sought at this stage;
- Elsewhere, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. Contributions may also be required towards other community facilities, such as open space;

All relevant sites will make any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. Developers must also make provision for other site specific requirements identified by the LDP, any relevant development framework or brief or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

Dunbar Area Contribution Zone

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESUIRE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Secondary School Capacity</i>			
<i>Dunbar Grammar School</i>	£4,282.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Capacity*</i>			
<i>Dunbar PS – John Muir P1 – P3</i>	£2,542.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Dunbar PS – Lochend P4 – P7</i>	£4,973.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>East Linton</i>	£8,610.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>West Barns</i>	£3,963.00 per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Innerwick</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Stenton</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (delivery of serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>
SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Halhill North, Dunbar (Proposal DR2)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Brodie Road, Dunbar (Proposal DR4)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>

<i>Abbeylands, Dunbar (Established Supply Uncommitted)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Abbeylands Garage (Established Supply Uncommitted)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Belhaven Hospital Field (Established Supply Uncommitted)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Coastguard Site (Established Supply Uncommitted)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Assembly Rooms Dunbar (Established Supply Uncommitted)</i>	£1,276.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	N/A	N/A	<i>Infrastructure Fund / Financial Payment / In-kind (if serviced land provided on a site)</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See LDP)	N/A	<i>In-kind (delivery of serviced employment land)</i>

Dunbar Area Outline Delivery Strategy

An outline of the strategy for delivering the additional capacity in infrastructure and facilities for LDP allocations in the Dunbar area is set out below:

- Land at Hallhill South West (Proposal DR1) is a committed site and is under construction. Contributions from the developers of this site towards the provision of education capacity at Dunbar Primary School John Muir and Lochend campuses have been committed. The relevant Dunbar Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Land at Hallhill North, Dunbar (Proposal DR2) will provide the focus for the provision of new community facilities in Dunbar. As part of the open space requirement for site DR2, the developer shall provide land for a full size grass community sports pitch to provide an expansion of the Hallhill Healthy Living Centre (Proposal DR3) as shown on the Proposals Map. The associated two team changing accommodation for this sports pitch shall be provided as an expansion of the Hallhill Healthy Living Centre. The developer of the site DR2 shall make contributions towards the capital costs of delivering the sports pitch and changing accommodation on a pro-rata basis with other uncommitted sites within the Dunbar Sport Facilities Contribution Zone shown at Appendix 1. The developer of this site shall also make contributions towards the expansion of pre-school and primary school education capacity at Dunbar Primary School John Muir and Lochend campuses. The Dunbar Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- The developer of the land at Brodie Road (Proposal DR4) shall make contributions towards the expansion of pre-school and primary school education capacity at Dunbar Primary School John Muir and Lochend campuses. The Dunbar Primary Education Contribution Zone is shown at Appendix 1. The developer of Proposal DR4 shall also make contributions towards the capital costs of delivering the sports pitch and changing accommodation (Proposal DR3) on a pro-rata basis with other uncommitted sites within the Dunbar Sport Facilities Contribution Zone shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Land at Hallhill South West (Proposal DR1), land at Newtonlees (Proposal DR5), land at Beveridge Row (Proposal DR6) are all committed developments. Contributions from the developers of these sites towards the provision of education capacity at Dunbar Primary School John Muir and Lochend campuses and at West Barns Primary School have been committed. The relevant Dunbar and West Barns Education Contribution Zones for these facilities is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- At East Linton, the developer of land at Pencraighill (Proposal DR8) shall make contributions towards the expansion of East Linton Primary School. The East Linton Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;

- Sufficient capacity exists within Innerwick Primary School to accommodate the planned development (Proposal DR10). The Innerwick Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- At Spott, the developer of land at St John's Street (Proposal DR11) shall make contributions towards the expansion of West Barns Primary School. The West Barns Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Elsewhere, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. Contributions may also be required towards other community facilities, such as open space;
- There is sufficient accommodation within the Dunbar Medical Centre to accommodate additional GP services in the Dunbar area to accommodate planned development. There is sufficient accommodation within East Linton Surgery to accommodate additional GP services in the East Linton area to accommodate planned development. Consequently, no developer contributions towards the expansion of these facilities will be sought at this stage.

All relevant sites will make any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. Developers must also make provision for other site specific requirements identified by the LDP, any relevant development framework or brief or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

North Berwick Area Contribution Zone

	DEVELOPMENT TYPE AND SCALE		
	RESIDENTIAL DEVELOPMENT OF 5 OR MORE HOMES	EMPLOYMENT, COMMERCIAL, RETAIL, LESUIRE OR TOURISUM DEVELOPMENT OF 100M ² +	MANNER IN WHICH THE CONTRIBUTION SHOULD NORMALLY BE PROVIDED FOR
EDUCATION			
<i>Secondary School Capacity</i>			
<i>North Berwick High School</i>	£7,140.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Secondary School Campus Land**</i>	£3,991.00 Per house 0.858 ha	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Pre-school & Primary School Capacity*</i>			
<i>Law PS</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Athelstaneford</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Dirleton</i>	No LDP impact. Other proposals will be assessed on a case by case basis.	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Gullane</i>	£7,248.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Aberlady</i>	£8,000.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
AFFORDABLE HOUSING			
	See LDP Policy HOU3 and HOU4 and SPG on Affordable Housing	N/A	<i>In-kind (delivery of serviced land / completed units) / Commuted Sum (if agreed in lieu of on-site provision)</i>
SPORTS PITCHES & CHANGING ACCOMMODATION			
<i>Saltcoats, Gullane (Proposal NK7)</i>	£567.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>

<i>Fenton Gait East, Gullane (Proposal NK8)</i>	£567.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Fenton Gait South, Gullane (Proposal NK9)</i>	£567.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
<i>Aberlady West, Aberlady (Proposal NK10)</i>	£123.00 Per house	N/A	<i>Infrastructure Fund / Financial Payment</i>
HEALTH & SOCIAL CARE PARTNERSHIP			
	N/A	N/A	<i>Infrastructure Fund / Financial Payment / In-kind (if serviced land or whole facility provided within a site)</i>
SERVICING OF EMPLOYMENT LAND			
	Site Specific (See Site Brief)	N/A	<i>In-kind (delivery of serviced employment land)</i>

North Berwick Area Outline Delivery Strategy

An outline of the strategy for delivering the additional capacity in infrastructure and facilities for LDP allocations in the North Berwick area is set out below:

- At North Berwick, land at Mains Farm (Proposal NK1), Gilsland (Proposal NK3), and windfall developments at Tantallon Road (Proposal NK4) and at Ferrygate Farm (Proposal NK5) are committed, as are contributions from the developers of these sites to the provision of additional education capacity at Law Primary School. The Law Education Contribution Zone is shown at Appendix 1. The developer of Mains Farm (Proposal NK1) has also committed to provide land for a full size grass sports pitch and two team changing accommodation as part of the open space provision for that site. The developers of the Mains Farm and Gilsland sites (Proposals NK1 and NK3 respectively) have committed capital contributions for the delivery of the sports pitch and changing accommodation on a pro-rata basis. Contributions may also be required towards other facilities or infrastructure, such as open space;
- As such, land at Mains Farm (Proposal NK1), in combination with the adjoining safeguarded land for the expansion of North Berwick High School and Law Primary School (Proposal NK2), will provide a focus for the provision of new education and community facilities in the North Berwick area. In accordance with LDP Proposal HSC2, land to the south of the Mains Farm site identified for employment purposes by Proposal NK1 may also be developed for the provision of a health care facility that can deliver additional GP services capacity should this become the preferred site for this;
- At Gullane, the site of the Former Gullane Fire Training School (Proposal NK6) is committed as are contributions from the developer of that site towards the expansion of Gullane Primary School. Developers of land at Saltcoats (Proposal NK7), Fentoun Gait East (Proposal NK8) and Fentoun Gait South (Proposal NK9) shall make contributions towards the expansion of Gullane Primary School, and if necessary towards the provision of additional campus land for the school to the south of the exiting primary school site within the Saltcoats (Proposal NK7) site. The Gullane Primary Education Contribution Zone is shown at Appendix 1. The developers of the Saltcoats, Fentoun Gait East and Fentoun Gait South sites (Proposals NK7, NK8 and NK9 respectively) must contribute towards the enhancement of the existing full size grass sports pitch within Recreation Park, Gullane, as well as towards the provision of a seven-a-side sports pitch to the south of the existing Gullane Primary School campus and to the west of the Saltcoats (Proposal NK7) site on a pro-rata basis. Contributions may also be required towards other facilities or infrastructure, such as open space;
- At Aberlady, the developer of land at Aberlady West (Proposal NK10) shall make contributions towards the expansion of Aberlady Primary School. The Aberlady Primary Education Contribution Zone is shown at Appendix 1. The developer of this site shall also make contributions towards the off-site enhancement of Aberlady playing field. Contributions may also be required towards other facilities or infrastructure, such as open space;
- Sufficient capacity exists at Dirleton Primary School to accommodate the planned development at Castlemains Place (Proposal NK11). The Dirleton Primary Education Contribution Zone is shown at Appendix 1. Contributions may also be required towards other facilities or infrastructure, such as open space;

- The North Berwick Group Practice will not have sufficient capacity to provide GP services in the North Berwick area to accommodate planned development. The practice will need to be extended or reprovided potentially within the Mains Farm site, Edington Hospital or elsewhere and since it is run by an independent contractor no developer contributions will be sought at this stage. There is sufficient accommodation within Gullane Medical Practice to accommodate additional GP services in the Gullane area to accommodate planned development. Consequently, no developer contributions towards the expansion of this facility will be sought at this stage;
- Elsewhere, contributions will be required from the developers of sites towards the education and community facilities whose contribution zone the site lies within. Contributions may also be required towards other community facilities, such as open space.

All relevant sites will make any necessary contributions towards secondary education capacity or transport network capacity in accordance with Policy DEL1 and the contribution zone in which they are located. Developers must also make provision for other site specific requirements identified by the LDP, any relevant development framework or brief or through the Development Management process, including provision for affordable housing as appropriate. Windfall development, or fresh proposals for committed developments, will be assessed on a case by case basis in accordance with LDP policies and guidance and where relevant in line with the outline strategy for delivery in this area set out above.

The Developer Contribution Protocol

Introduction

4.1 The Developer Contribution Protocol consists of two parts:

- a. **A demand assessment or policy requirement** that identifies the requirement for a developer contribution to be provided for (e.g. how the need to increase capacity in infrastructure or facilities as a result of development has been assessed, identified, costed and apportioned among 'eligible' proposals), or a policy requirement the proposal must provide for – e.g. affordable housing;
- b. **An Administrative process** that is capable of specifying, negotiating, co-ordinating, concluding, discharging, monitoring and enforcing developer contributions, as well as tracking them, including financial payments, from the point that they are committed or gathered until they are provided, used or spent to deliver interventions.

Demand Assessment Approach - Survey / Analysis / Plan

4.2 The demand assessment has been carried out in the preparation of this Supplementary Guidance. It has separated the needs of existing users from any additional capacity that will be required to mitigate the impact of users anticipated from new development proposed by the East Lothian Local Development Plan 2016.

4.3 In broad terms, the assessment methodology consists of four parts, and has assessed the following:

- a. the demand anticipated from existing infrastructure or service users through time, and how this relates to the existing capacity in infrastructure or facilities;
- b. the action that has been or will be committed through time to increase capacity in infrastructure or facilities beyond existing levels to meet the anticipated increases in baseline levels of demand and / or demand arising as a result of development that is already committed; and
- c. the additional capacity that will be necessary beyond these committed capacity increases to accommodate the further impacts of uncommitted development through time;
- d. the cost of providing additional capacity for uncommitted development apportioned pro-rata among the uncommitted developments generating the additional impact, on an individual or cumulative basis, as appropriate.

4.4 Developer contributions will only be required towards the additional mitigation identified in Part C and will be sought as set out in Part D. Any deficiency in provision identified following Parts A or B of the assessment will not be met by applicants or developers of uncommitted proposals. The demand assessment has assessed how anticipated changes in levels of demand through time relate to standards for service provision and for provision of capacity. The starting point for this was the standards for service delivery or infrastructure capacity the service or infrastructure providers expect of themselves. This informed the amount of additional capacity that must be provided at existing facilities or that must be provided in new facilities as a result of new development.

4.5 In carrying out the assessment the following approach was used:

- a. An appropriate contribution zone was identified to make the assessment;
- b. The assessment was undertaken against recognised standards, including relevant quantitative, qualitative or accessibility standards as appropriate;
- c. The standards used have a recognised status and have been applied consistently - e.g. national and / or local standards that have been consulted on and adopted by the service / infrastructure provider;
- d. Demand projections have been generated and applied – e.g. child per house ratios to forecast pupil product over time or team generation rates per head of population / age group for provision of outdoor sports facilities etc;
- e. The demand assessment for the contribution zone is then compared to what is available and required in terms of capacity in assets to ensure related standards can be met.

4.6 This has been undertaken to determine whether or not there is or will be sufficient capacity in existing facilities to serve existing service users. Committed increases in capacity by the service or infrastructure provider (including planning obligations discharged or financial payments already gathered or committed etc) have been taken into account. This separates the impact of changes in demand arising from the baseline and committed development (with associated capacity increases) from that of uncommitted development that is still 'eligible' to contribute to the provision of further capacity increases. Developer contributions will not be sought to resolve any existing deficiencies (including from committed development). However, proportional contributions will be required from uncommitted development to uncommitted interventions, if those interventions would address pre-existing issues as well as the impact of uncommitted development.

4.7 Where the assessment has found a need to increase capacity due to uncommitted growth, either at existing facilities or by the provision of new ones, the same methodology and principles were applied to assess the additional capacity requirement that need be provided by applicants or developers as a result of their development, on an individual or cumulative basis as appropriate.

Principles for the Assessment

4.8 The following principles apply in the assessment:

- Service or infrastructure providers are not required to provide mitigation to accommodate uncommitted development;
- The need to accommodate anticipated changes in the level of baseline use of facilities / infrastructure through time, including committed development, will always be prioritised when assessing if any spare capacity exists within any facility / infrastructure through time;
- Developer contributions cannot be sought to resolve existing deficiencies in capacity due to increases in baseline levels of use, including committed development, even if such capacity issues are expected at a future point in time;
- Developer contributions cannot be sought retrospectively if the actual impacts from committed development prove greater than originally anticipated;
- If capacity exists in facilities or the commitment to provide further capacity has already been made which could absorb the impact of development on an individual or cumulative basis as appropriate, it can be used at no cost by applicant(s);
- Proportional contributions will be required from applicants or developers to uncommitted interventions their developments

- are dependent on, even if those interventions address pre-existing issues as well as the impact of new development;
- If the impact of development on an individual or cumulative basis would require additional capacity in infrastructure / facilities this must be provided for by applicants or developers who generate the impact on a proportionate and pro-rata basis as appropriate;
 - Service or infrastructure providers must use developer contributions for the purpose and within the timescales originally intended;
 - Threshold capacities will be reached when the facility / infrastructure presents no more opportunity to support additional levels of use in its existing operational format;
 - Capacity may be increased by adaptation of facilities (to make better use of existing assets) or by enhancement of existing facilities if appropriate (e.g. replacing grass pitches with synthetic) or by physical expansion (increase accommodation) or by provision of new facilities (and flexibility in the design of facilities / infrastructure will be essential);
 - Infrastructure capacity must be increased in appropriate units of capacity – e.g. provision of a single class room / sports pitch plus provision for changing for two teams etc;
 - Units of capacity must be provided in a permanent format to serve the anticipated peak demand;
 - The maximum operational capacity is reached when the facility / infrastructure has no more scope to provide additional on-site capacity.

4.9 These are the principles that have been applied in the development of the Developer Contributions Framework, including in relation to how contributions have been apportioned pro-rata among developments.

Monitoring and Review

- 4.10** This Supplementary Guidance will be reviewed with the Local Development Plan or earlier if the Council deems necessary. However, monitoring and review of the audits, standards, assumptions, projections and demand assessment will be carried out more regularly to help inform when additional capacity need be delivered. These regular reviews will inform the Developer Contributions Framework for LDP2. The programme of monitoring and review will include:
- **The Audit of Assets** – e.g. number of rooms of classroom size and teaching spaces within schools as capacity increases / number of changing rooms to service use of sports pitches (booking information) / number of meeting spaces needed in community facilities to serve need (booking information) / committed increases in capacity;
 - **Relevant Standards** – e.g. any changes in national or local standards – maximum number of pupils per classroom / number of matches that can be supported on particular types of playing surface / construction and lifecycle expected of buildings etc;
 - **Assumptions** – e.g. births, migration and pupil per house ratios / pupil stay on rates and if these change through time and by location / team generation rates and if they change by location and as a consequence of sports participation strategies (Active Schools etc);
 - **Capacity Assessment and Cost Apportionment** – updated in light of monitoring and review processes above and in light of planning permissions granted and contributions gathered and interventions committed and LDP2 requirements etc.

Administrative Process

- 4.11** The **administrative process** for specifying, gathering, holding, monitoring, enforcing and using developer contributions, including financial payments, will be transparent.
- 4.12** Reasonable trigger points for capturing different types and scales of development proposals within the Developer Contributions Protocol are clearly set out in Table 1 above. Notwithstanding this, pre-application discussion is strongly encouraged between the applicant(s) and the relevant service or infrastructure provider(s), particularly for large or complex proposals.
- 4.13** Once an 'eligible' planning application enters the Developer Contributions Protocol the relevant service or infrastructure provider(s) will be consulted on it by the case officer handling the application. This is so the relevant service or infrastructure provider(s) can assess the impacts of the proposed development, including against the Developer Contributions Framework. Any negotiation and agreement between the service or infrastructure provider(s) and applicant(s) on how, where and when developer contributions are to be provided for must be confirmed by the service or infrastructure provider(s) in their response.
- 4.14** The service or infrastructure provider(s) will respond to the case officer handling the planning application to set out the developer contributions required and the manner in which they must be provided for, normally within 14 days of receipt of a consultation request. The case officer will confirm with the applicant that they are willing to provide for the necessary contributions prior to making any recommendation to Council on whether planning permission for the proposal should be approved or refused.
- 4.15** It is East Lothian Council policy that any required S75 legal agreement should be concluded within six months of any minded to grant decision from the Council on a planning application, or planning permission could be refused. Any delay in these timescales may impact on the timescales or way in which a planning application will be determined. The Council will seek to recover from applicants the cost for drafting legal agreements.
- 4.16** These are some reason why pre-application discussions are strongly encouraged between applicants and relevant service or infrastructure provider(s) **before** an application is made. Large or complex proposals may require a degree of negotiation between applicants and service or infrastructure providers to agree how, where and when developer contributions will be provided for, for example to agree a programme of staged financial payments and an indexation measure (e.g. inflationary indices or cost guides / tables) or the specification of and locations for contributions to be fulfilled 'in-kind' on-site (e.g. affordable housing provision).
- 4.17** These negotiations should not take place after a planning application has been submitted, as development proposals may need to be amended to ensure that developer contributions can be provided for in an appropriate and agreed manner. In some circumstances this may require the submission of a fresh planning application if an original submission does not make adequate or appropriate provision for developer contributions. Early clarity on these issues will be essential for sound development appraisals, proposals and masterplans, and to help ensure the planning authority's target timescales for determining planning applications can be met. Proposals submitted without agreement on how these matters will be addressed risk refusal of planning permission on these grounds against Policy DEL1.

4.18 Early and ongoing consultation and engagement between applicants and service or infrastructure provider(s) will be important. This is so the cumulative impact of development can be assessed as fully as possible to input into ongoing monitoring and review processes, and to ensure that infrastructure projects are programmed to be delivered in line with new development and increasing demand and capacity requirements. It will also help to ensure that the actions and any other funding required to deliver interventions can be identified and aligned with the delivery of the associated project.

4.19 The Developer Contributions Protocol must be led, managed and co-ordinated by the relevant service or infrastructure providers. They will be assisted by others in supporting or enabling roles as appropriate. As a minimum this will include the following relevant service or infrastructure providers:

Relevant Service or Infrastructure Providers

- Education Authority;
- Roads Authority;
- Transport Scotland;
- Community Services;
- East Lothian Health & Social Care Partnership;
- Environmental Health;

Support or Enabling Roles

- Planning;
- Legal;
- Property;
- Estates;
- Finance; and
- Procurement.

4.20 Service or infrastructure providers must record the developer contributions they have agreed, including any financial payments, separating those already gathered from any future expectations on intake. They must record how contributions have been or are intended to be gathered, held and spent, and the amount of committed contributions held and that remain to be gathered. They must demonstrate that contributions are being and will be used for the purpose originally intended, and that the developer contributions for projects are clearly identified. Transparency is therefore needed in capital plans, with monies ring fenced so it is demonstrable that developer contributions will be used for the purpose intended. Separate bank accounts should be established for this purpose.

4.21 All financial payments ‘anticipated, gathered or committed’ will be suitably index linked – e.g. All-in BCIS Tender Price Index - from the point a service or infrastructure provider responds to a planning application until the payment is received. In the event that financial payments are not paid in full, service or infrastructure providers shall be entitled to charge interest at 4% per annum above Bank of England base rate from 1 month after the due payment date to date of receipt.

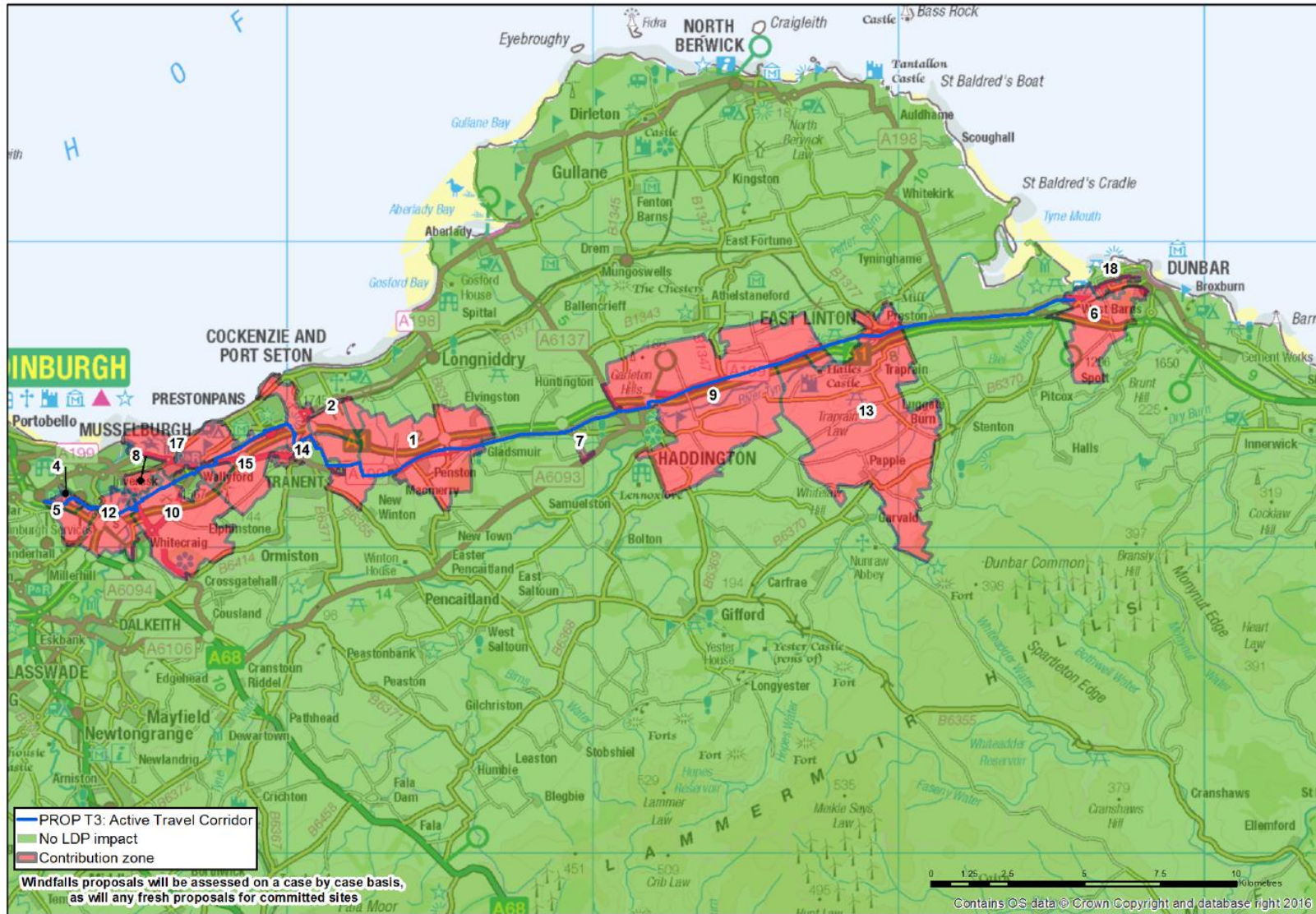
4.22 Developers are required to notify the Council that they intend to initiate their development, and must also do same once their development is complete. They may also be required to notify the Council about when key points in their development will be reached. Developer contributions cannot be held in perpetuity. It is reasonable for service or infrastructure providers to retain contributions for the period necessary to achieve the purpose originally intended. If the phased provision of infrastructure is agreed, then contributions will be held in line with the agreed

phasing programme – e.g. a series of phased payments set against agreed milestones, such as the 100th / 200th / 300th house etc with any unused payments to be returned after a specified period from the date of payment.

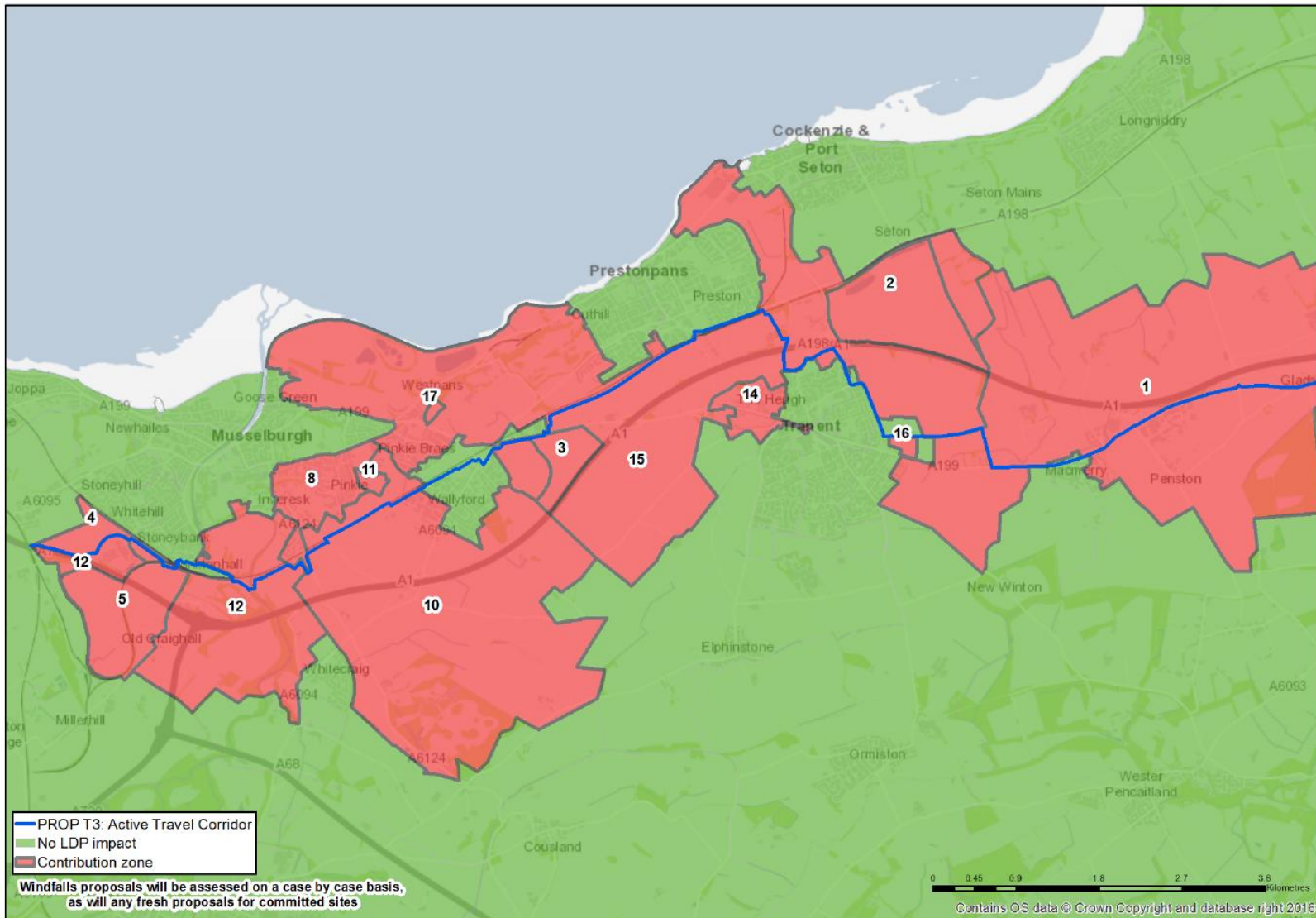
- 4.23** Repayment provisions may be referred to in a Section 75 agreement. The period within which the service or infrastructure provider is obligated to return or repay part or all of any contribution or financial payment is dependent on a reasonable period for the service or infrastructure provider to provide the necessary infrastructure. As such, this period will be determined on a case by case basis. Any unused payments will be returned to applicants or developers after any specified time period with any interest accrued since the payment was received.
- 4.24** Once planning permission is approved developer contributions should not be revisited, unless a fresh planning application is submitted under a reviewed Developer Contributions Framework or an application for the modification of a planning obligation is approved.

Developer Contribution Zones: Transportation

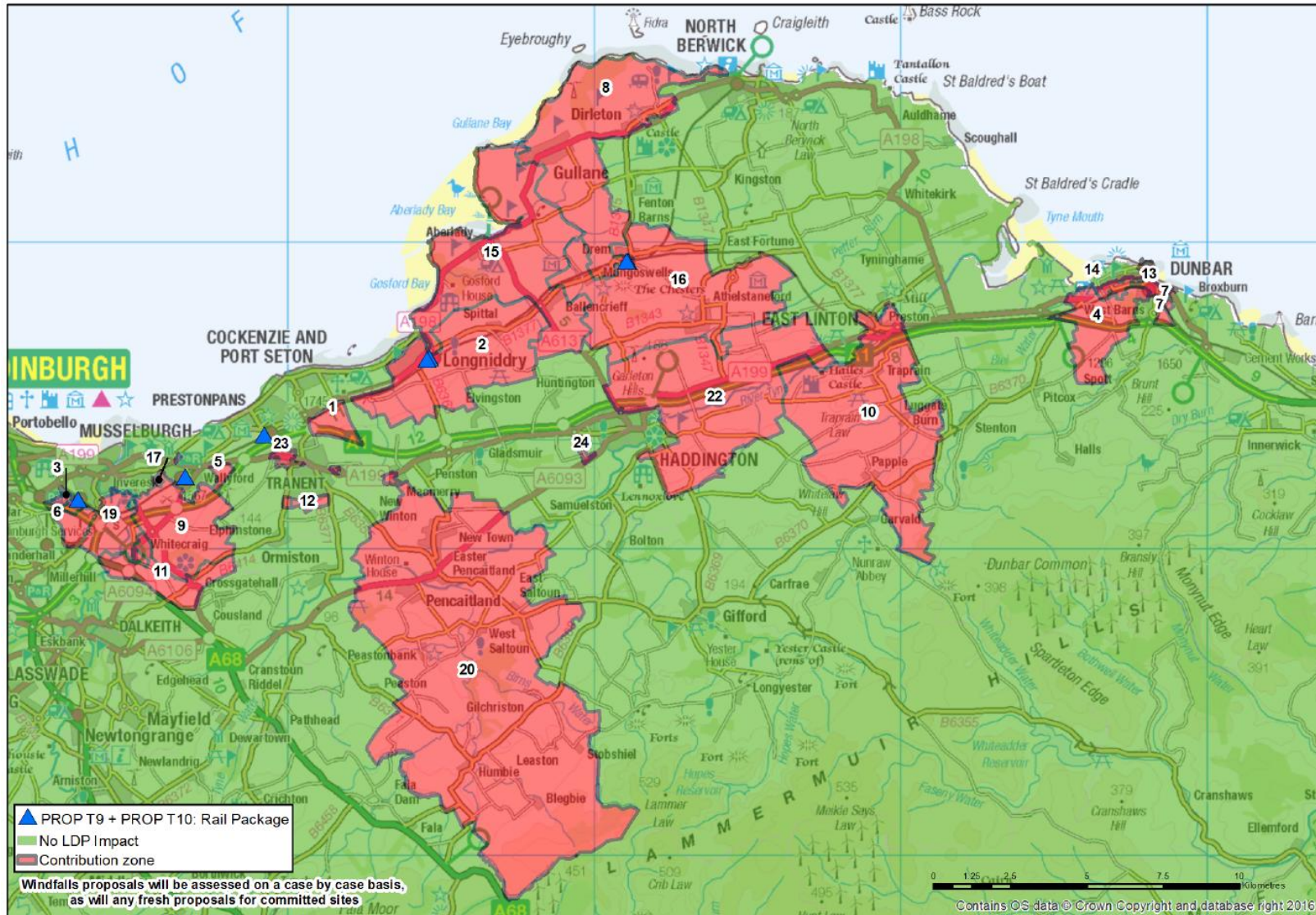
Segregated Active Travel Corridor Contribution Zones



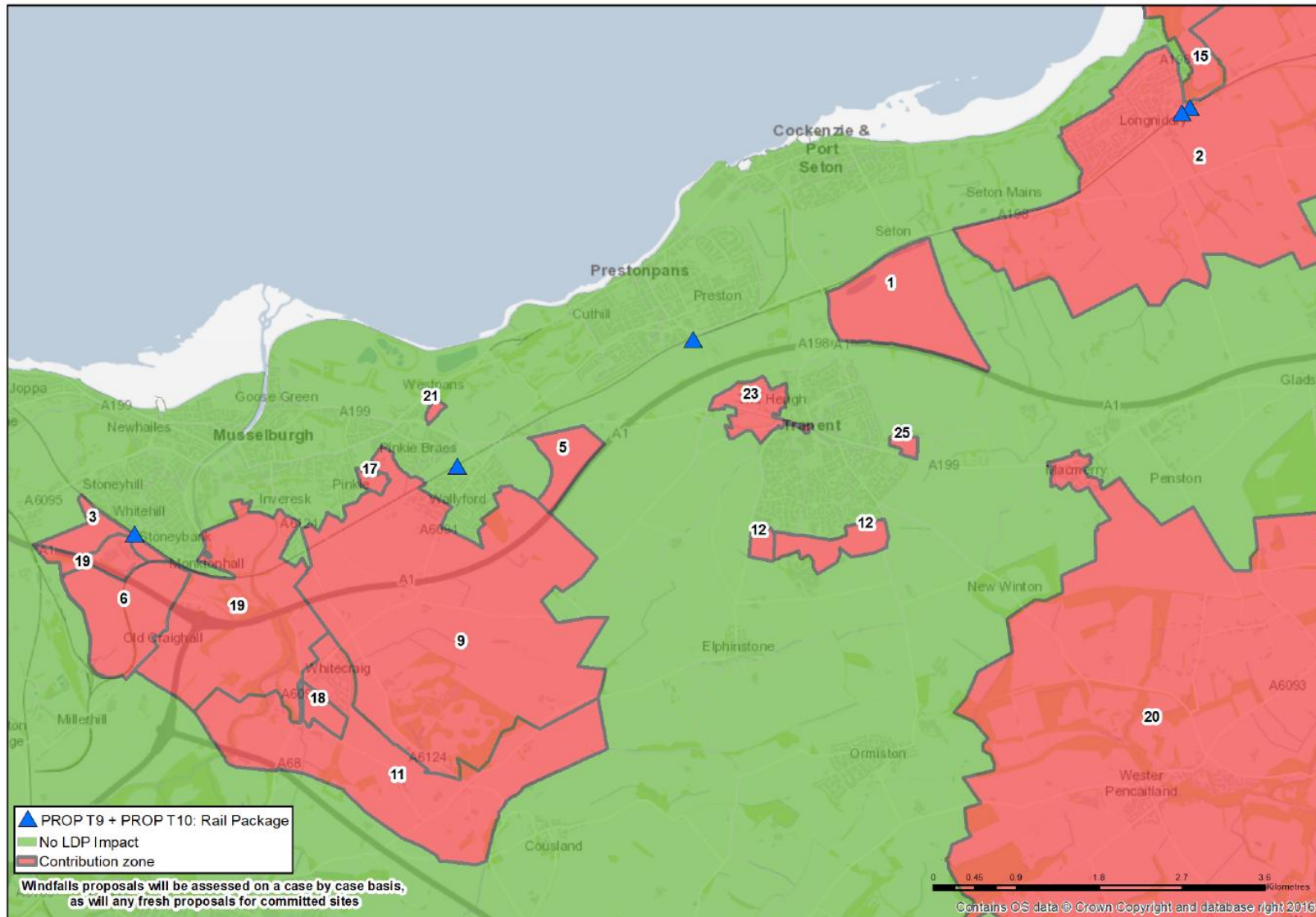
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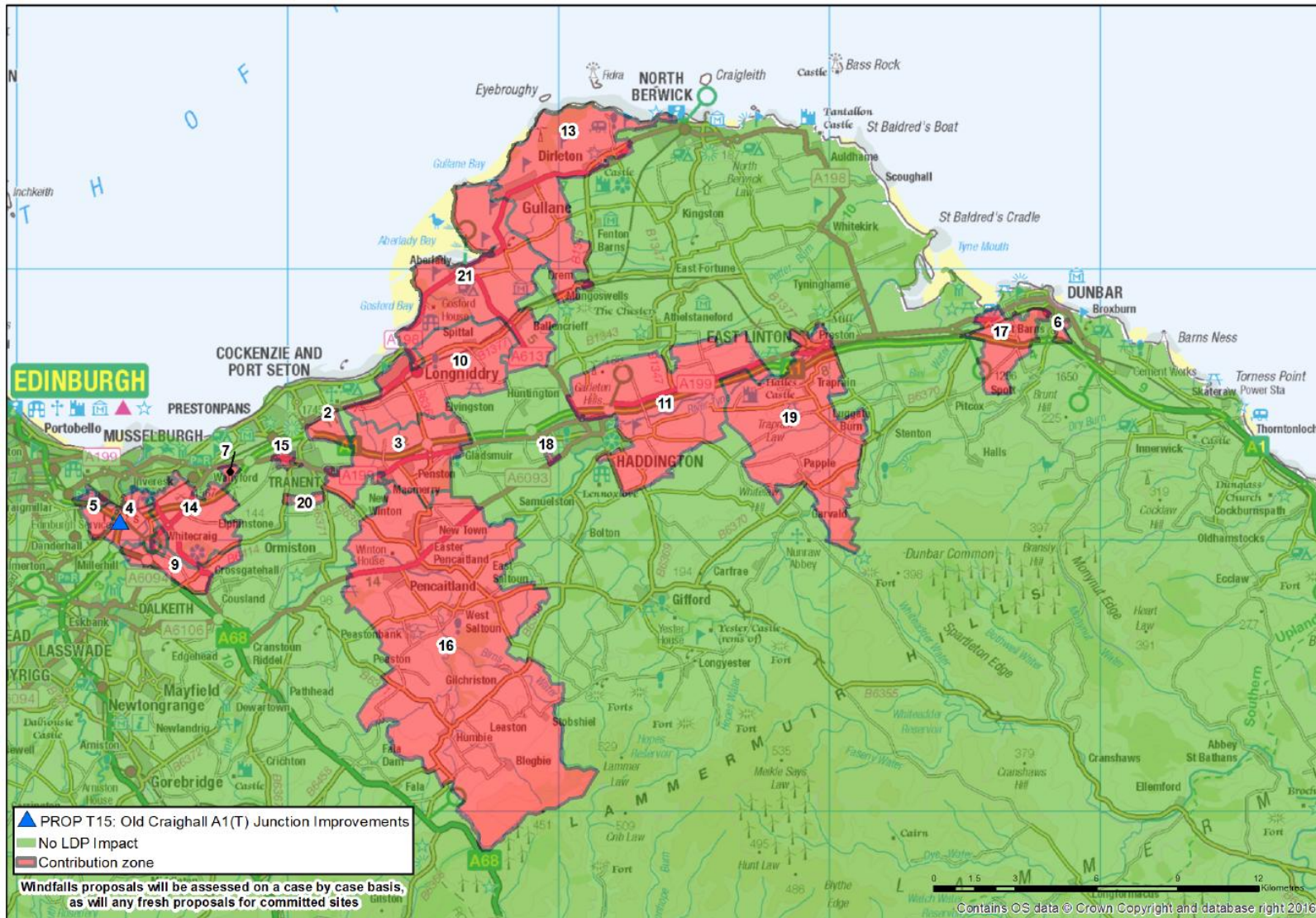
Rail Network Contribution Zones



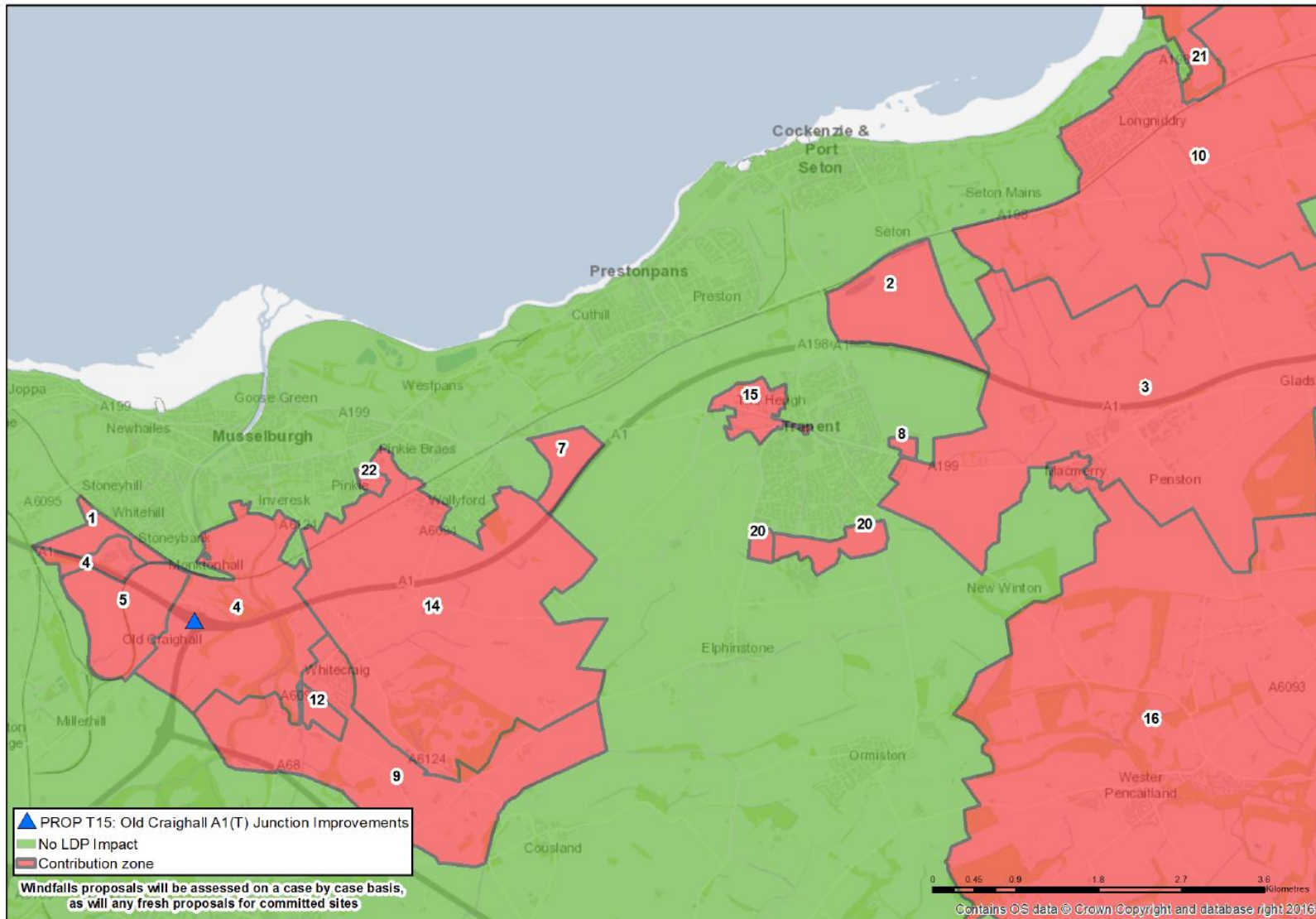
Rail Network Contribution Zones Inset



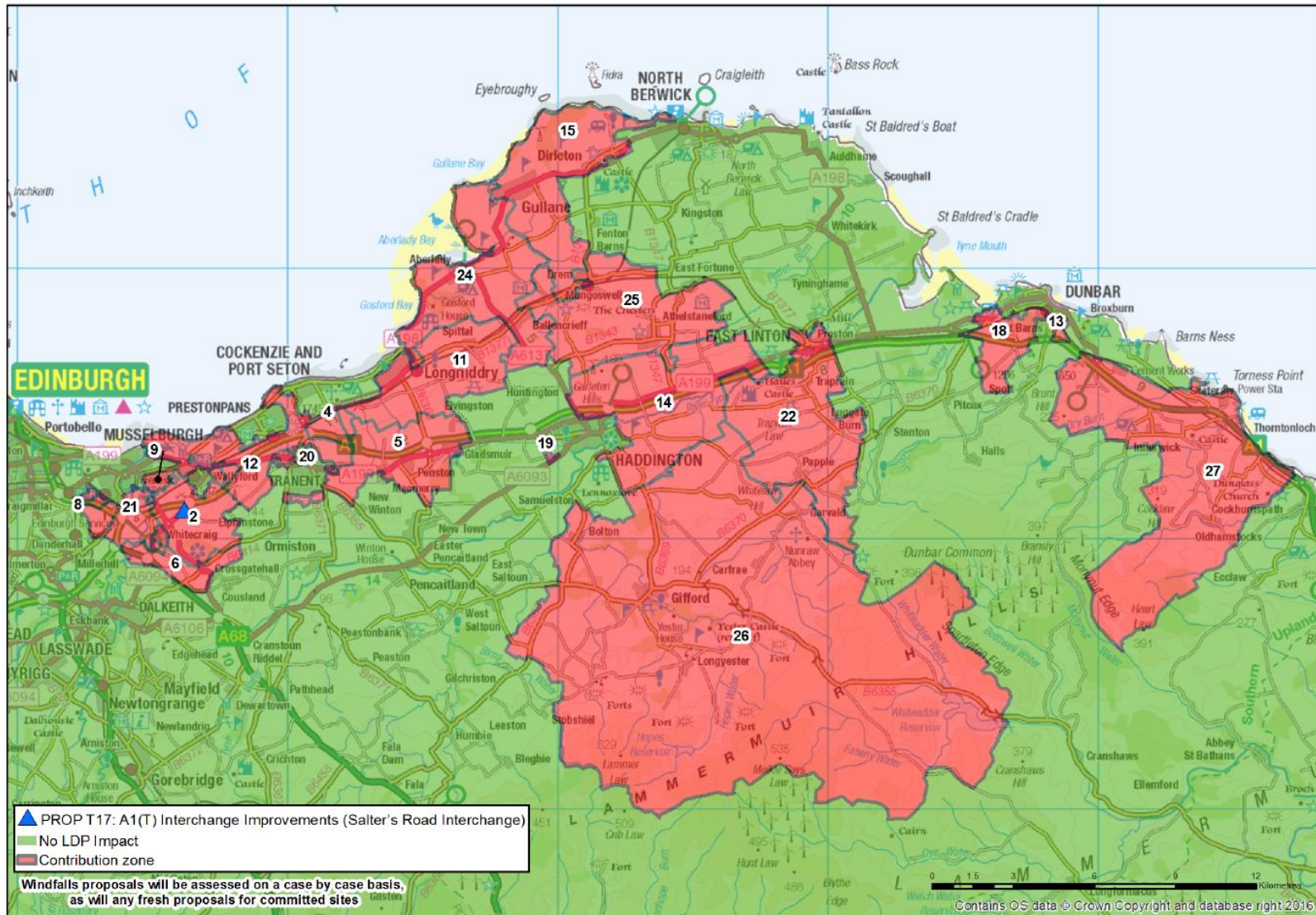
Old Craighall A1(T) / A720 Junction Contribution Zones



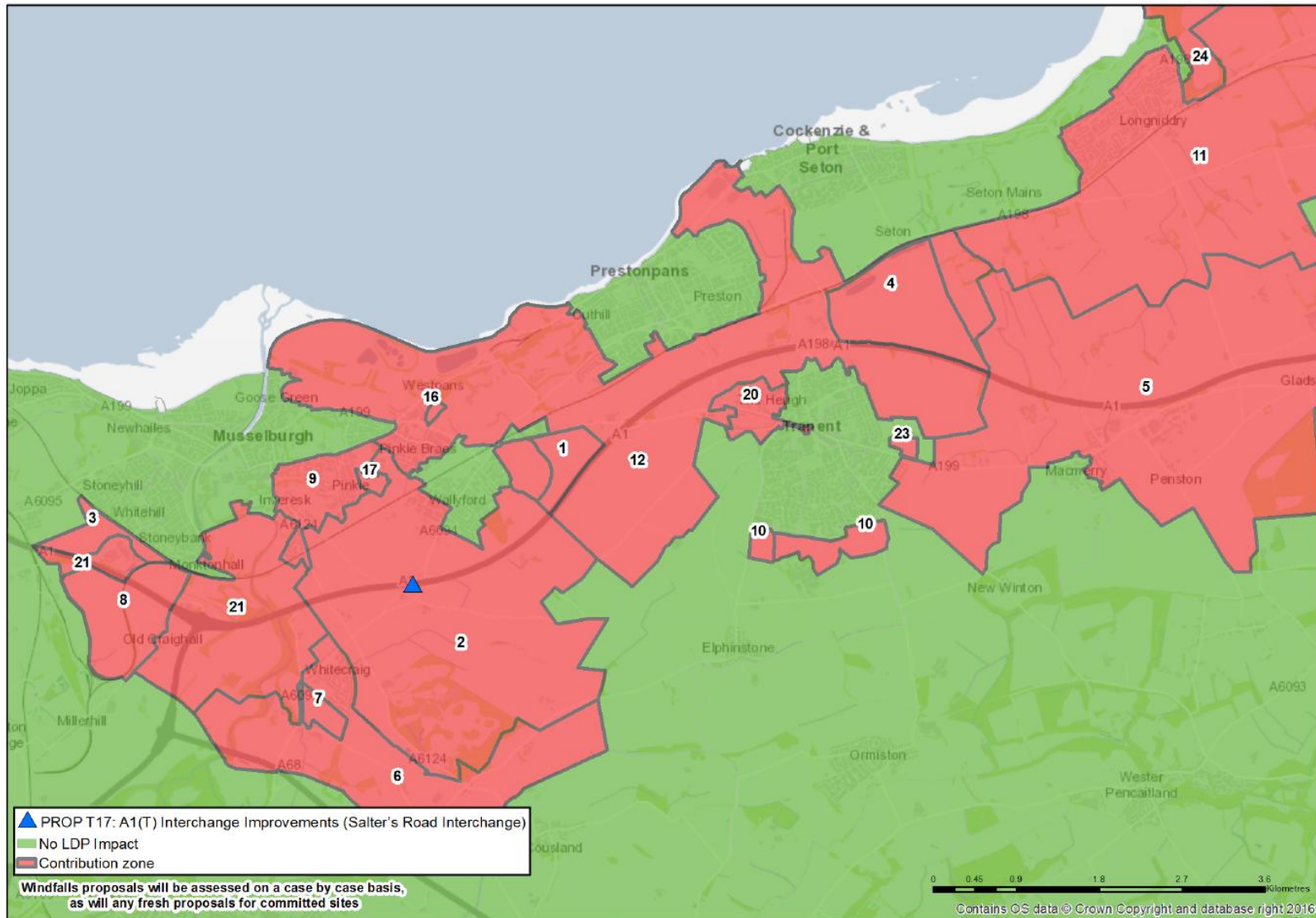
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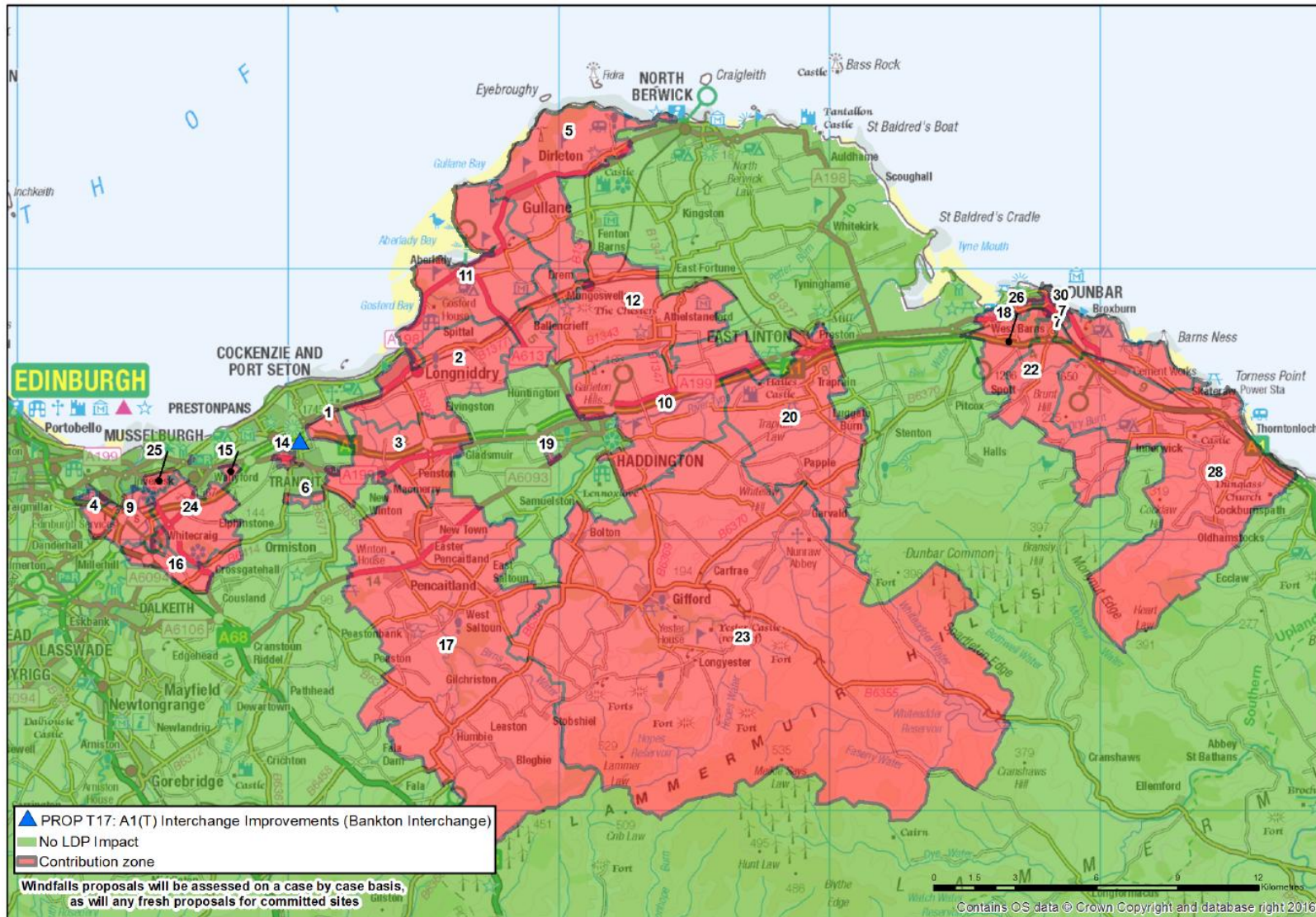
Salter's Road Interchange A1(T) Contribution Zones



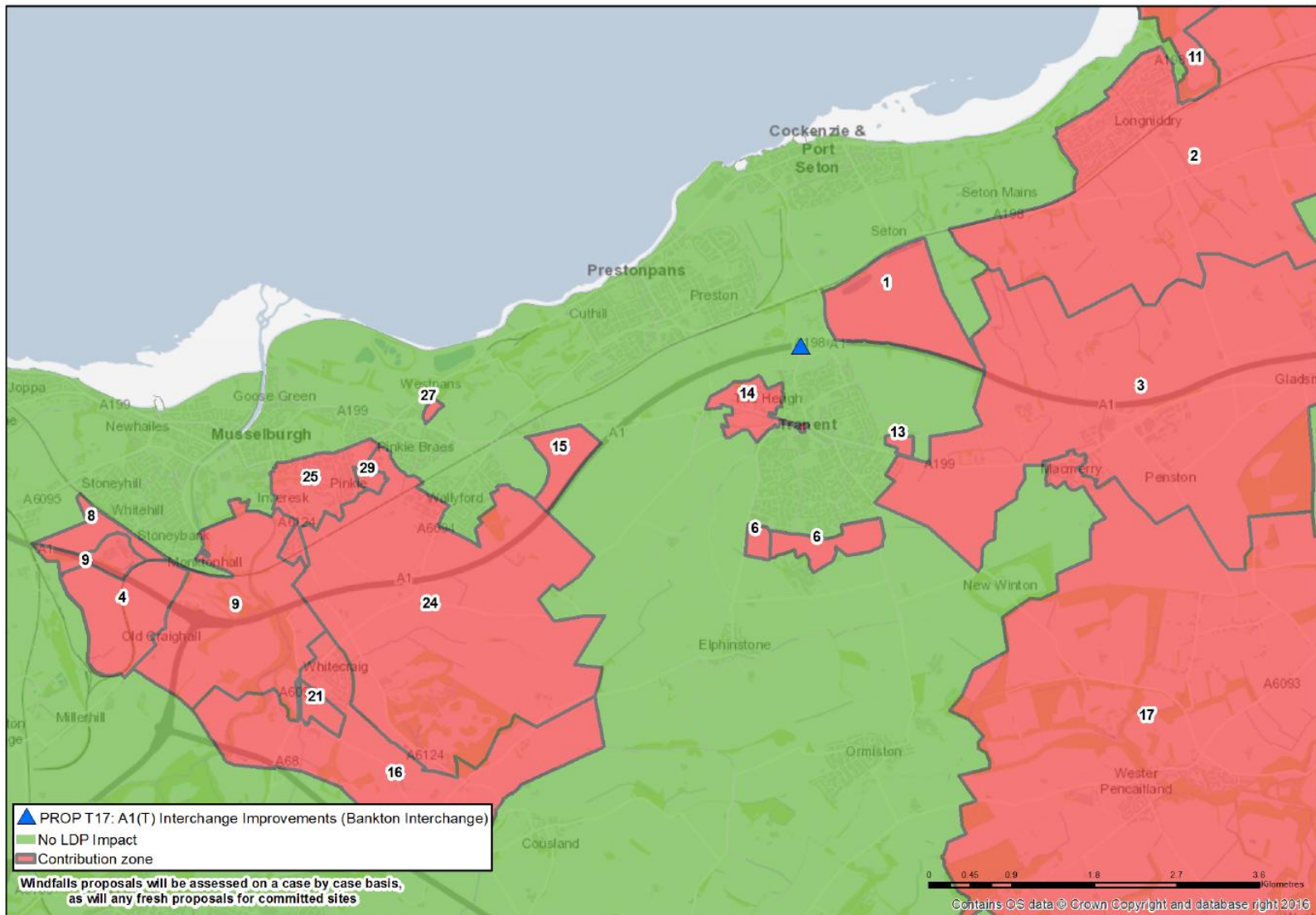
Salter's Road Interchange A1(T) Contribution Zones Inset



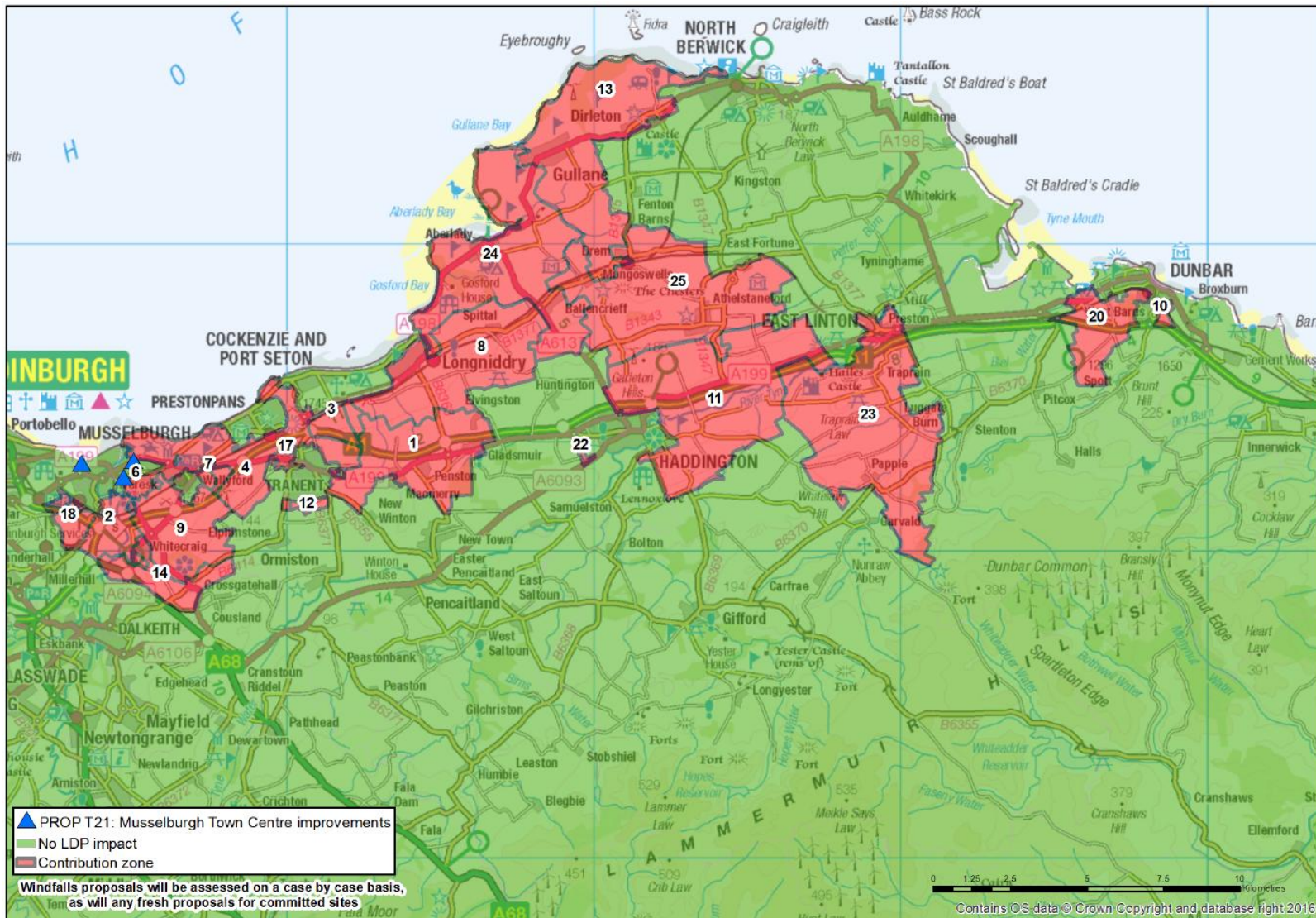
Bankton Interchange A1(T) Contribution Zones



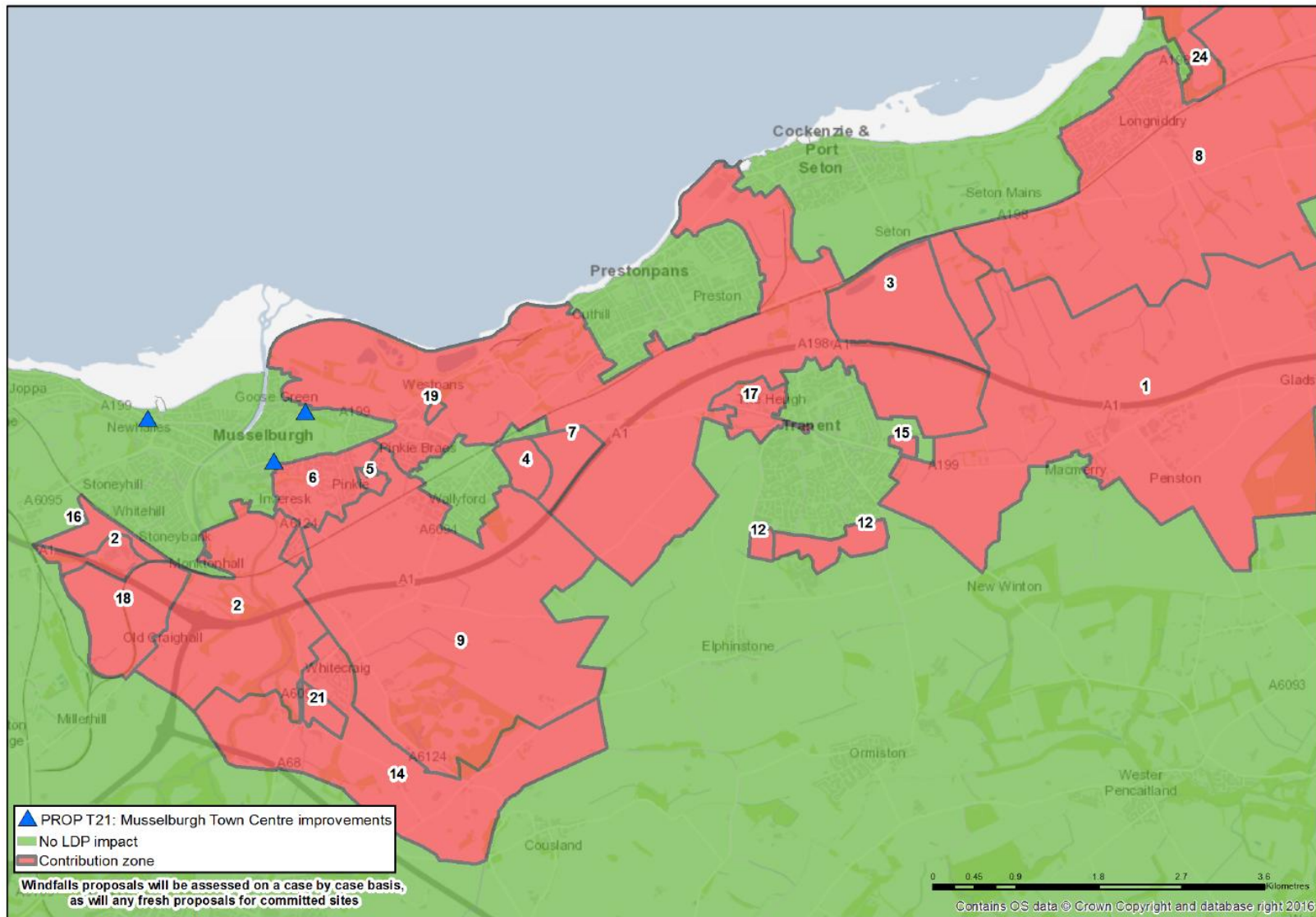
Bankton Interchange A1(T) Contribution Zones Inset



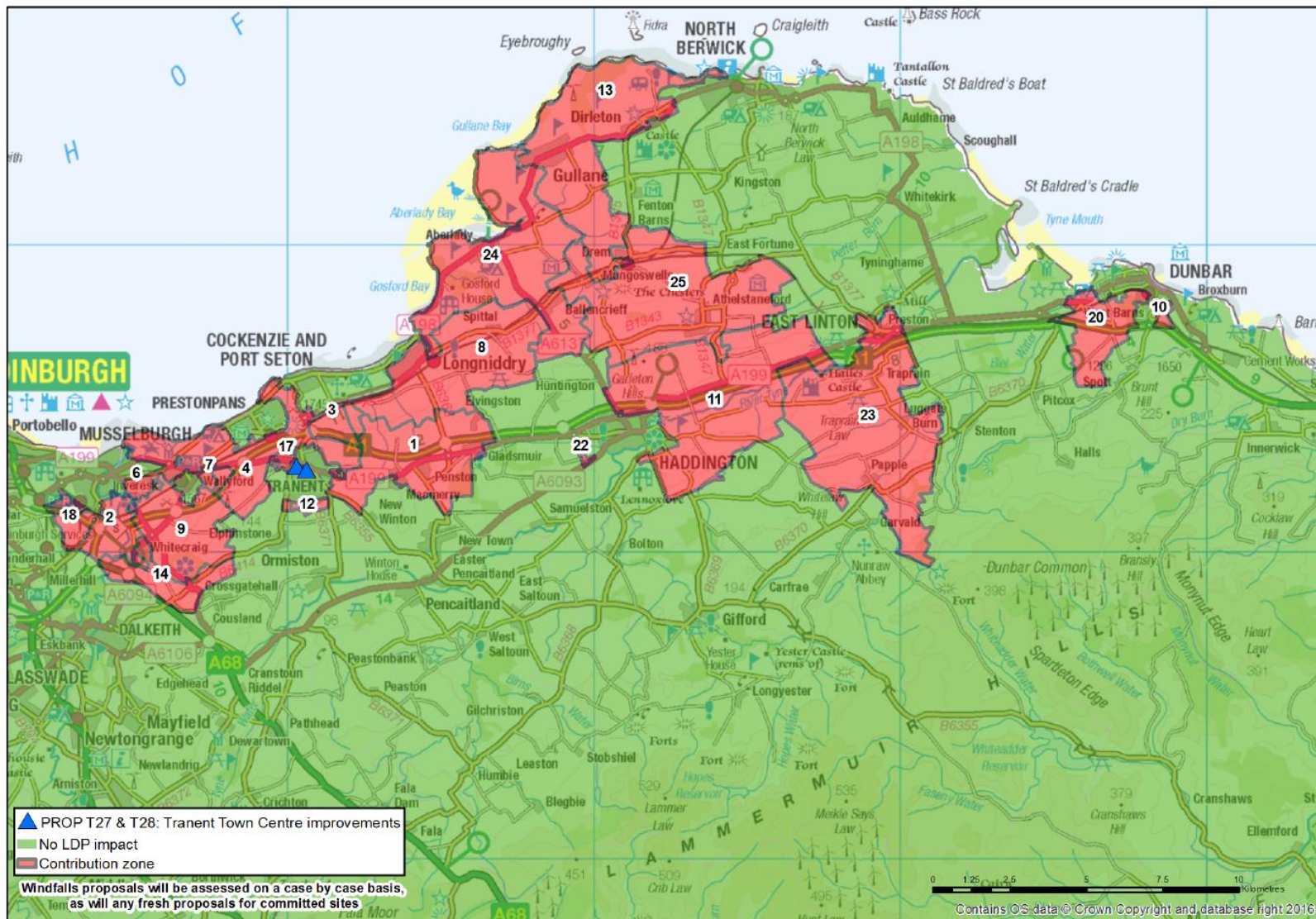
Mitigation of Cumulative Impacts in Musselburgh Contribution Zones



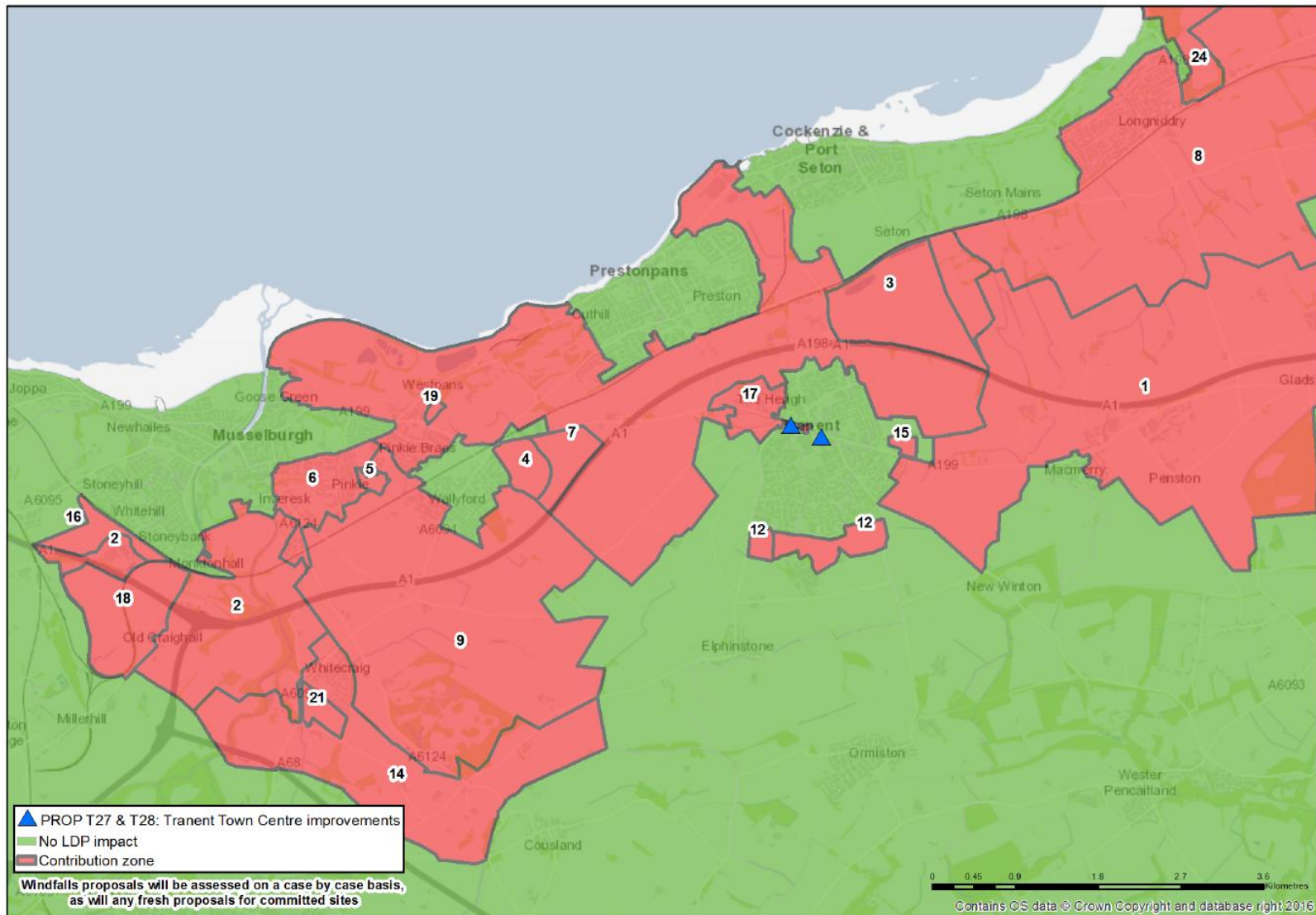
Mitigation of Cumulative Impacts in Musselburgh Contribution Zones Inset



Mitigation of Cumulative Impacts at Tranent Contribution Zones

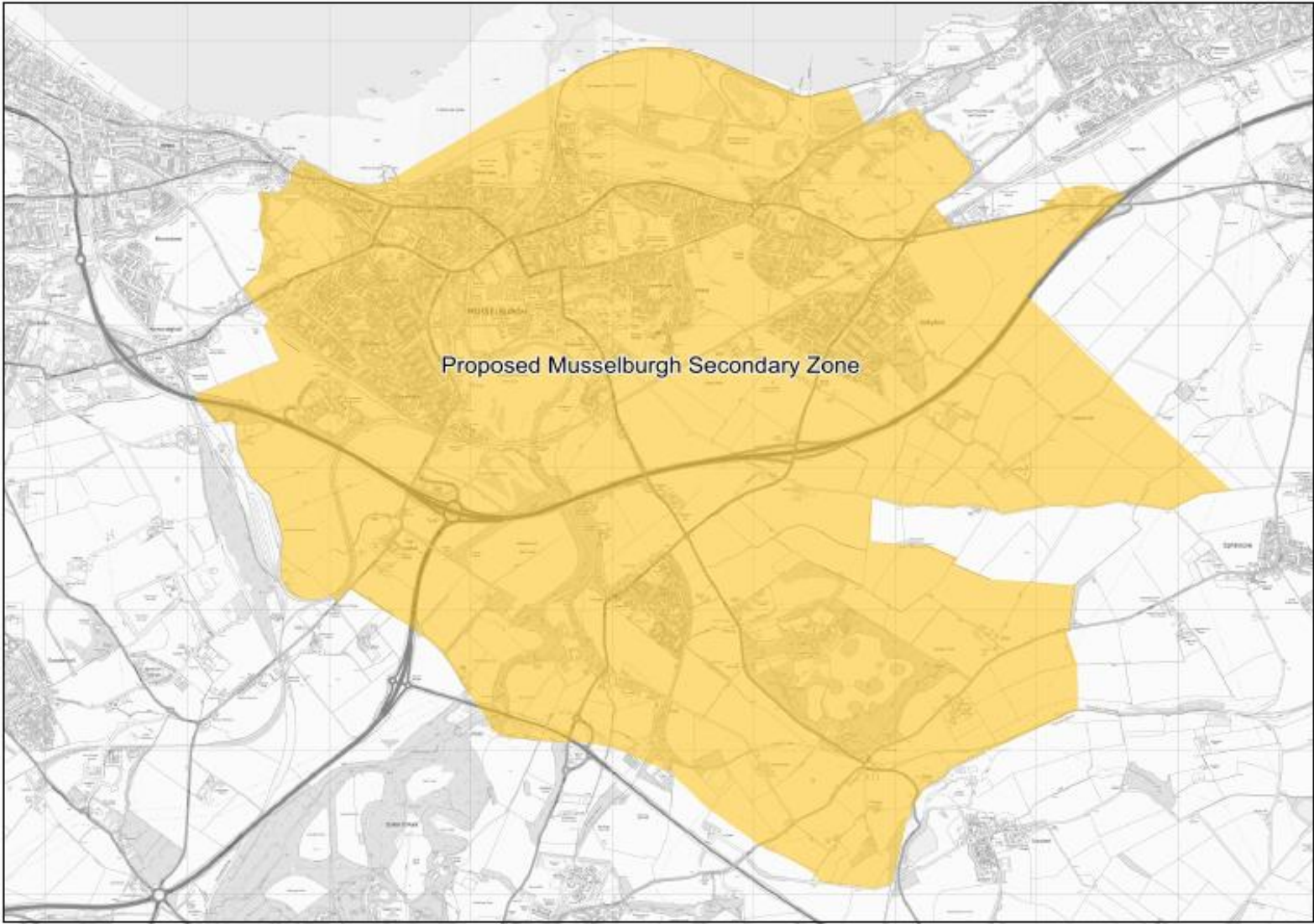


Mitigation of Cumulative Impacts at Tranent Contribution Zones Inset

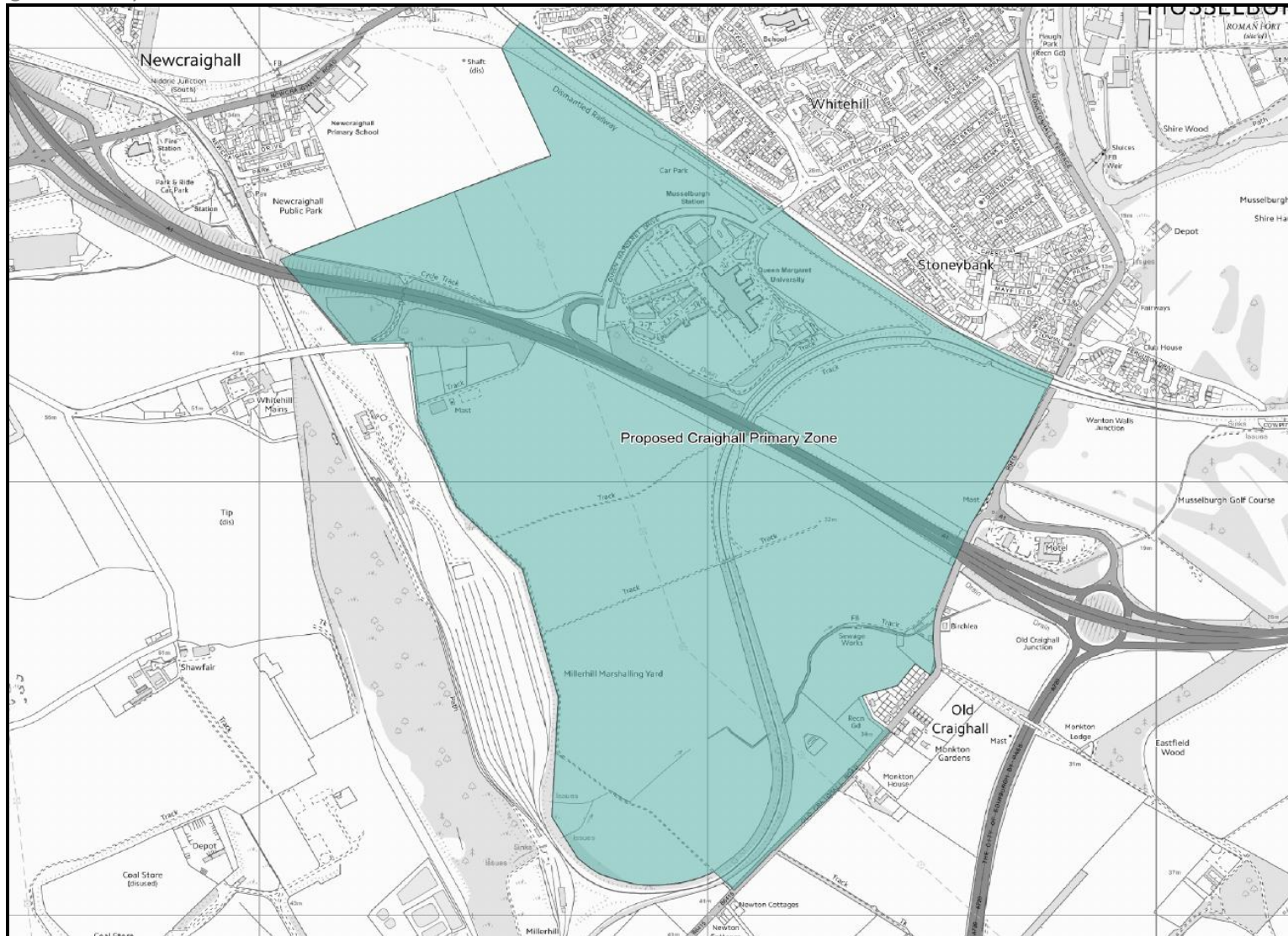


Developer Contribution Zones: Education

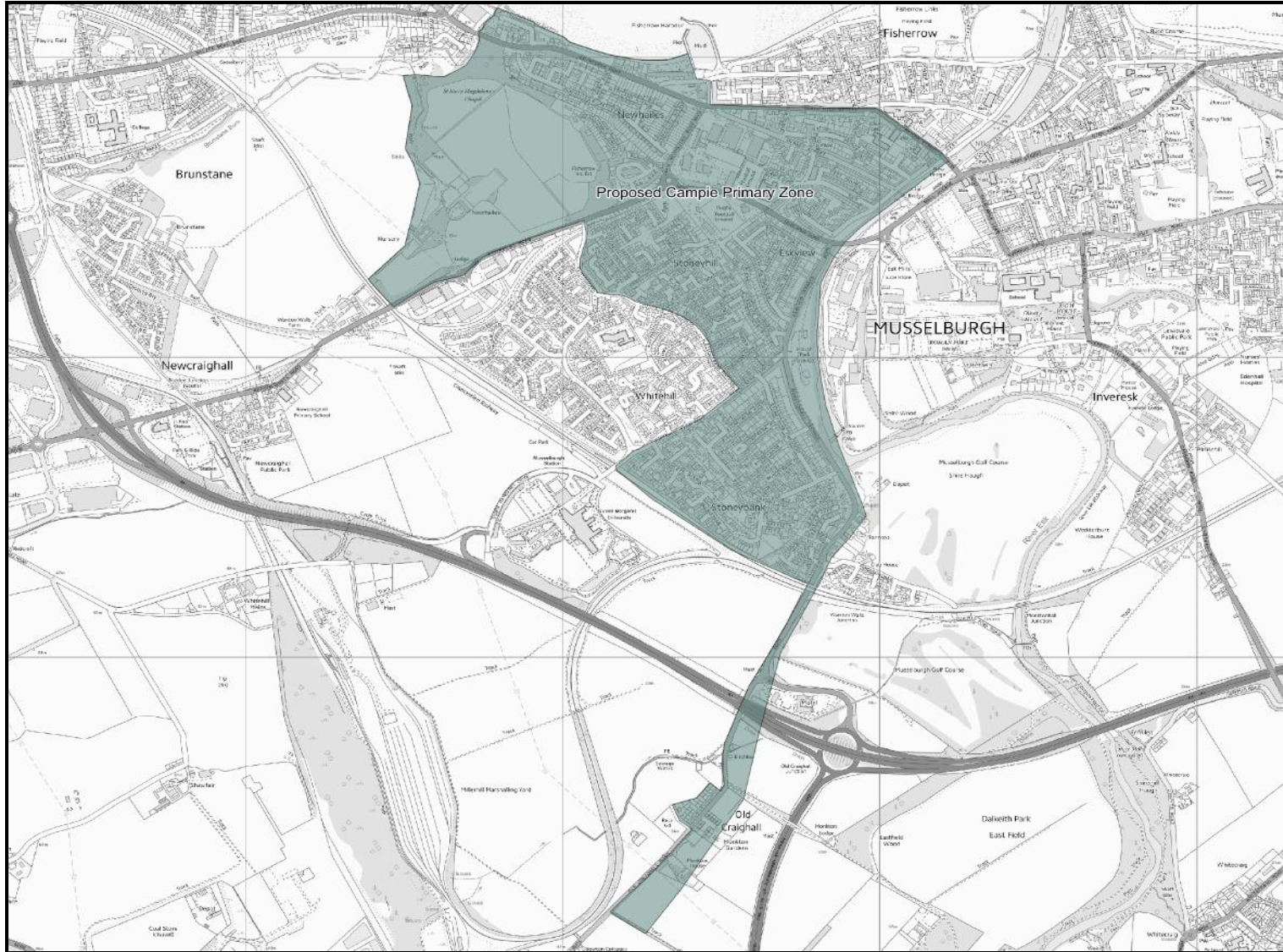
Proposed Musselburgh Secondary Education Contribution Zone



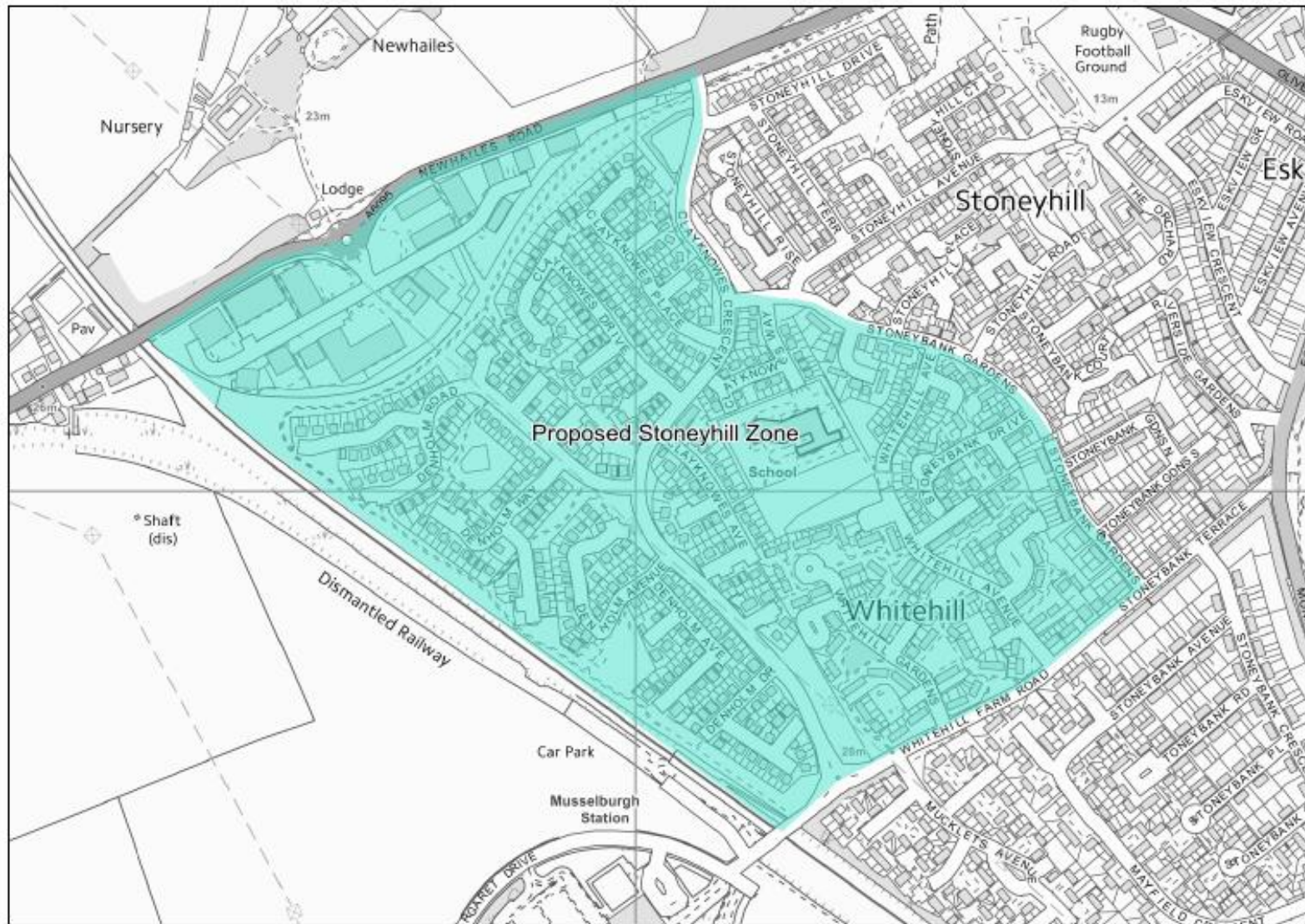
Proposed Craighall Primary Education Contribution Zone



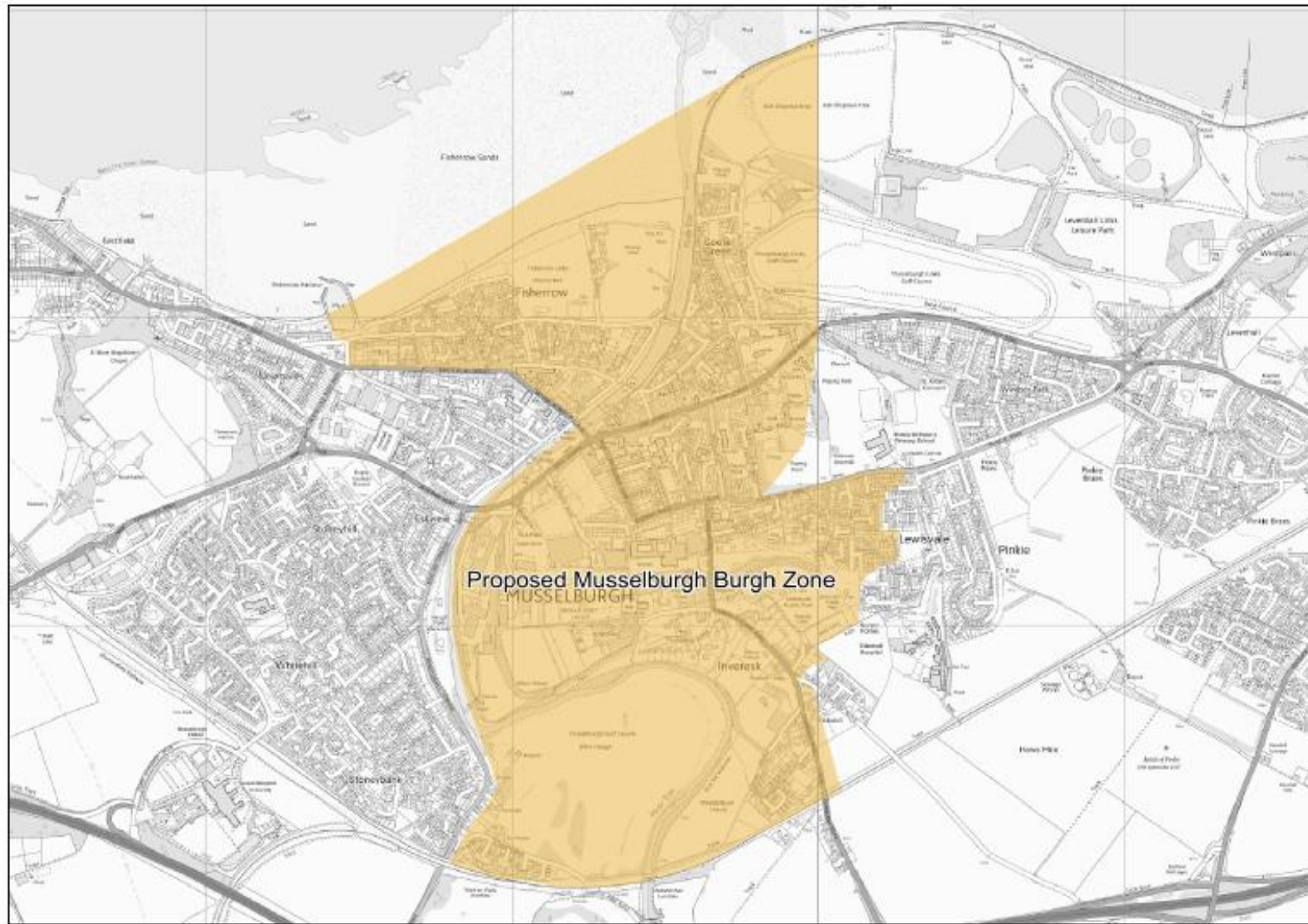
Proposed Campie Primary Education Contribution Zone



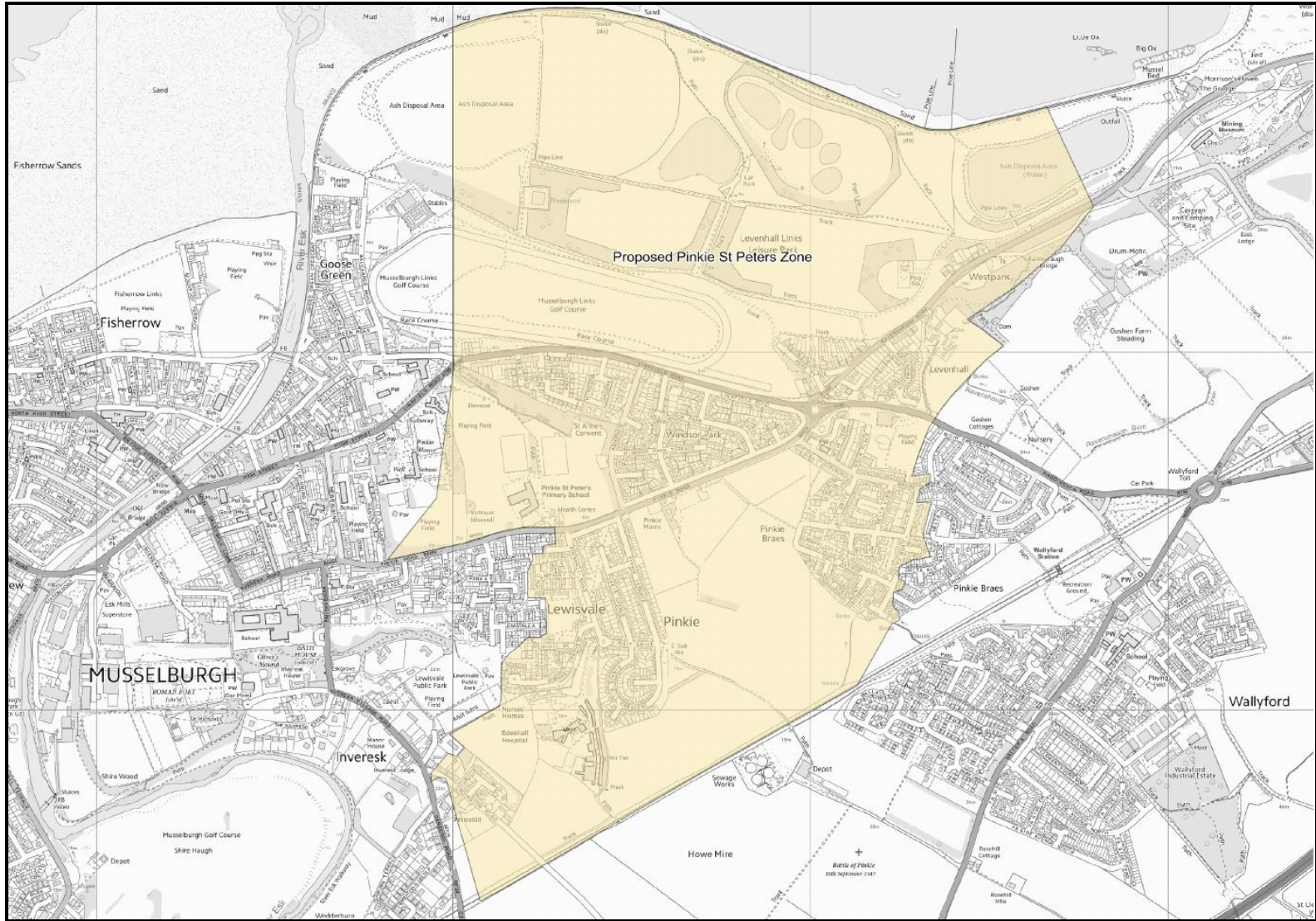
Proposed Stoneyhill Primary Education Contribution Zone



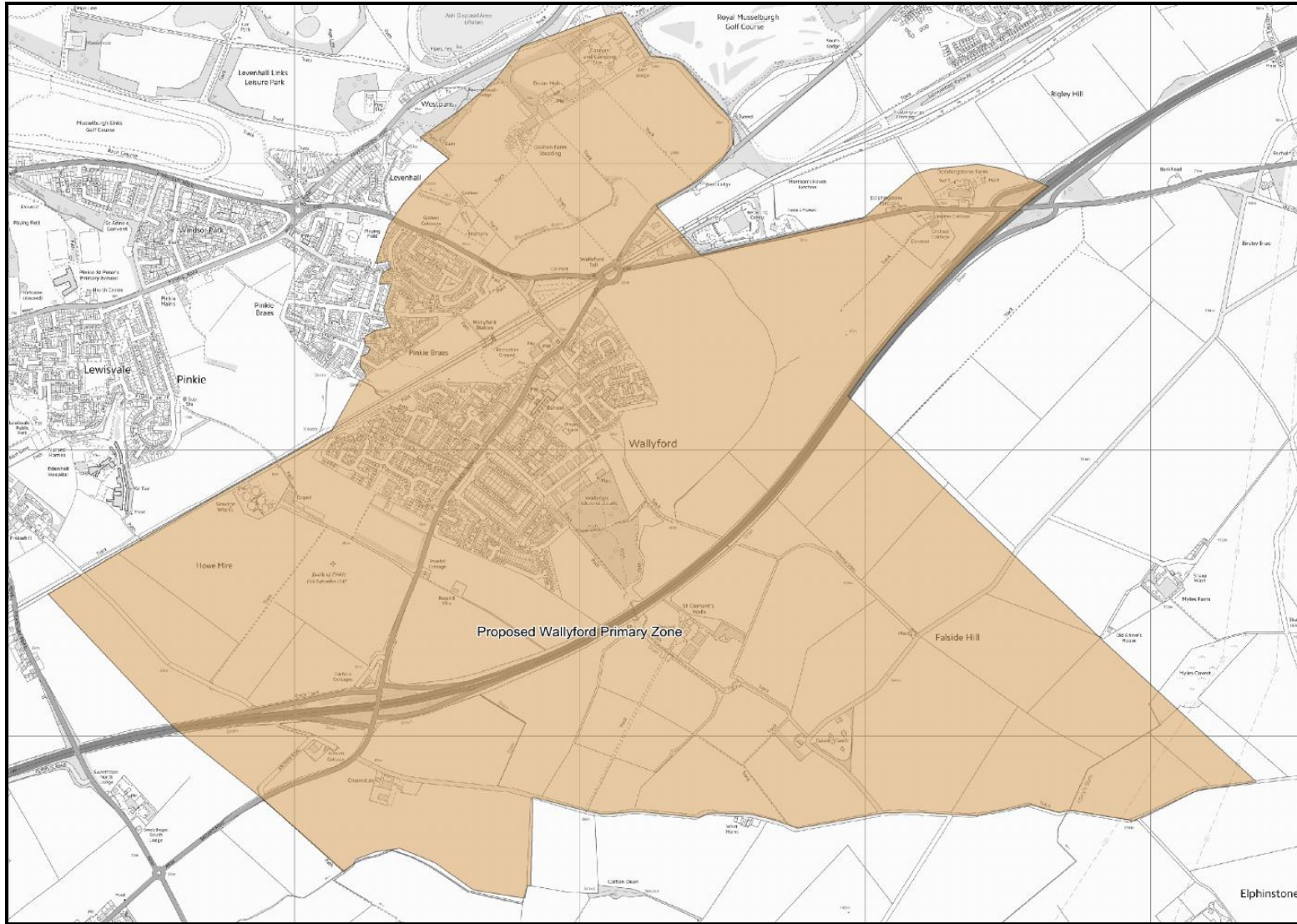
Proposed Musselburgh Burgh Primary Education Contribution Zone



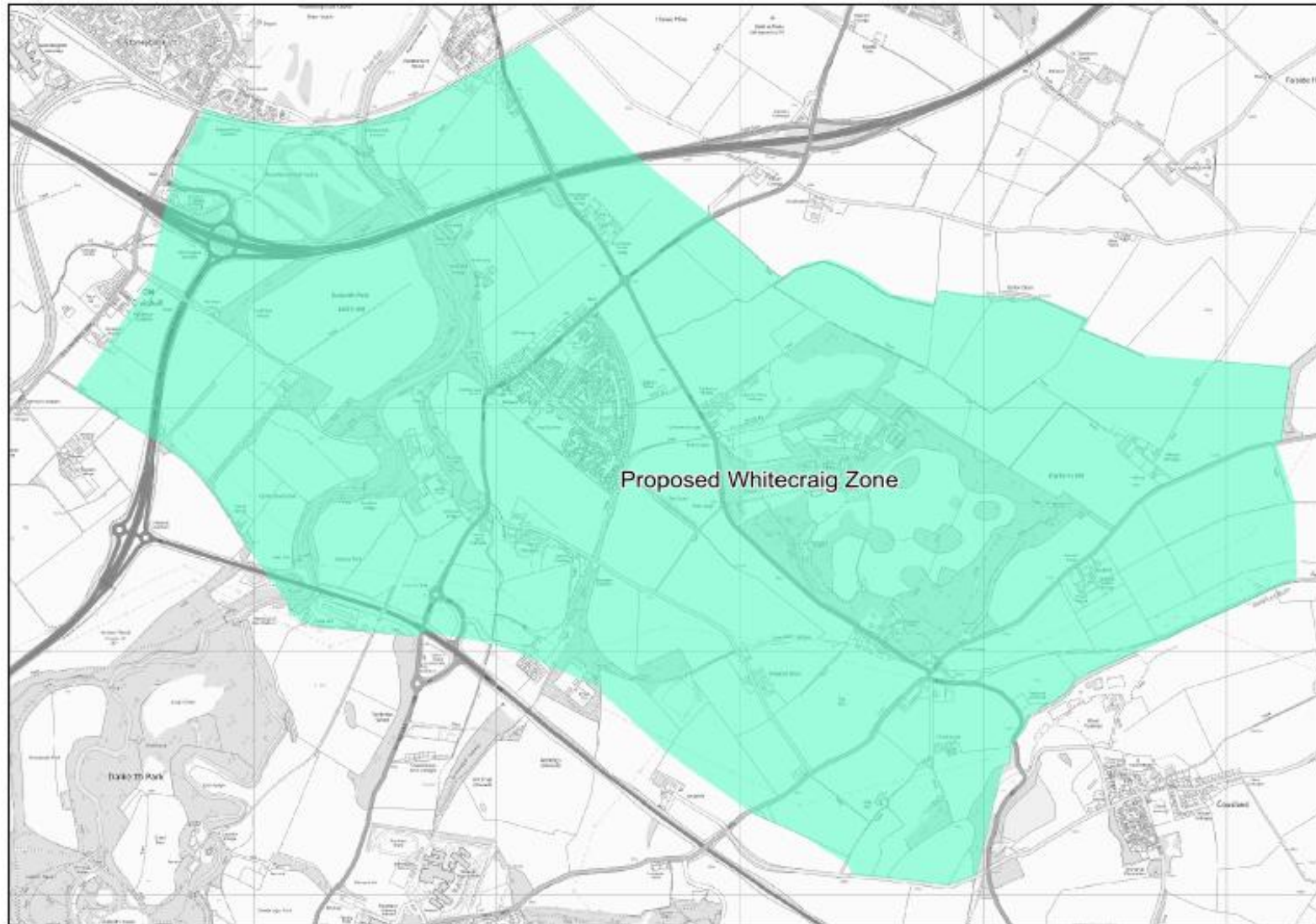
Proposed Pinkie St Peter's Primary Education Contribution Zone



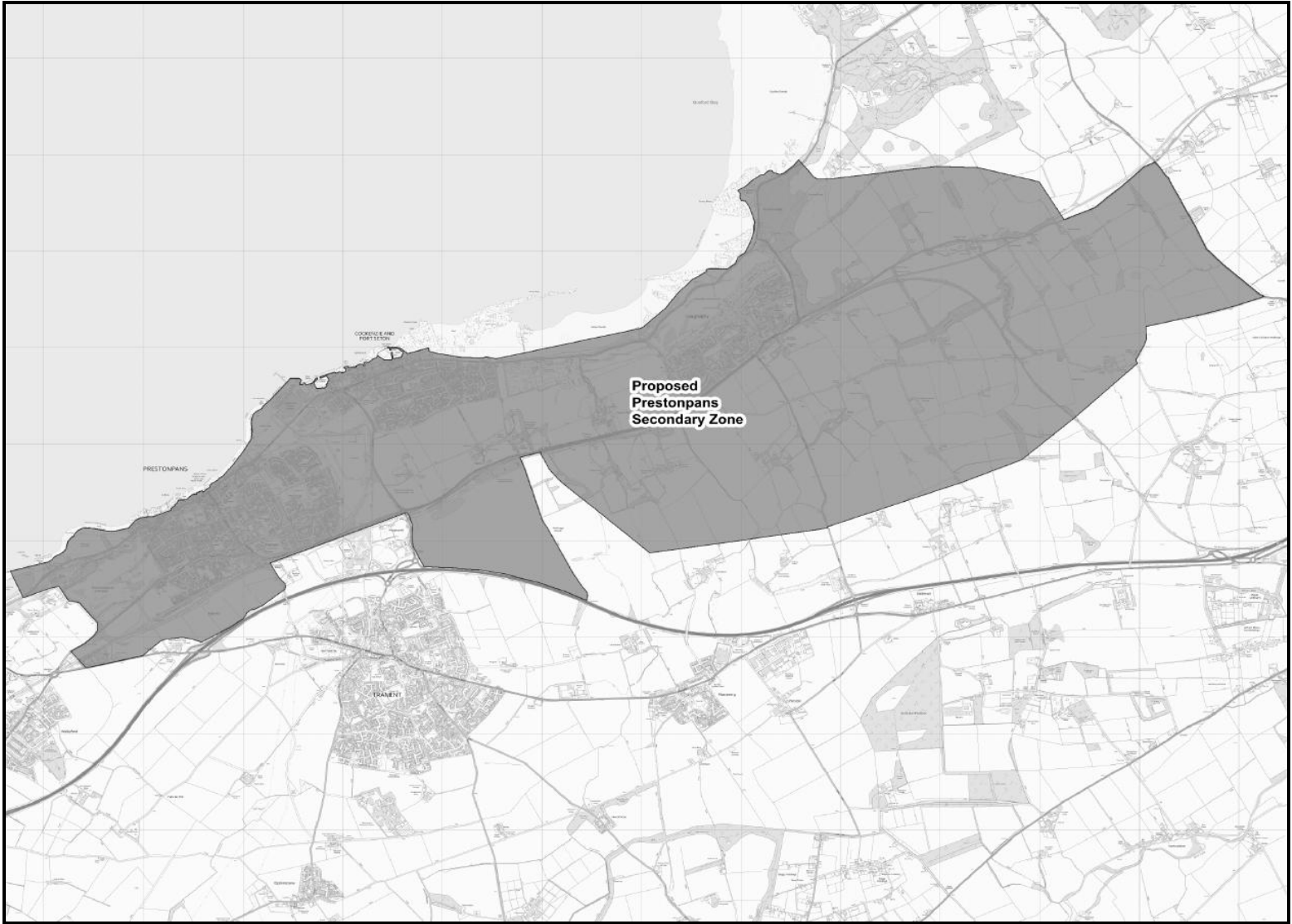
Proposed Wallyford Primary Education Contribution Zone



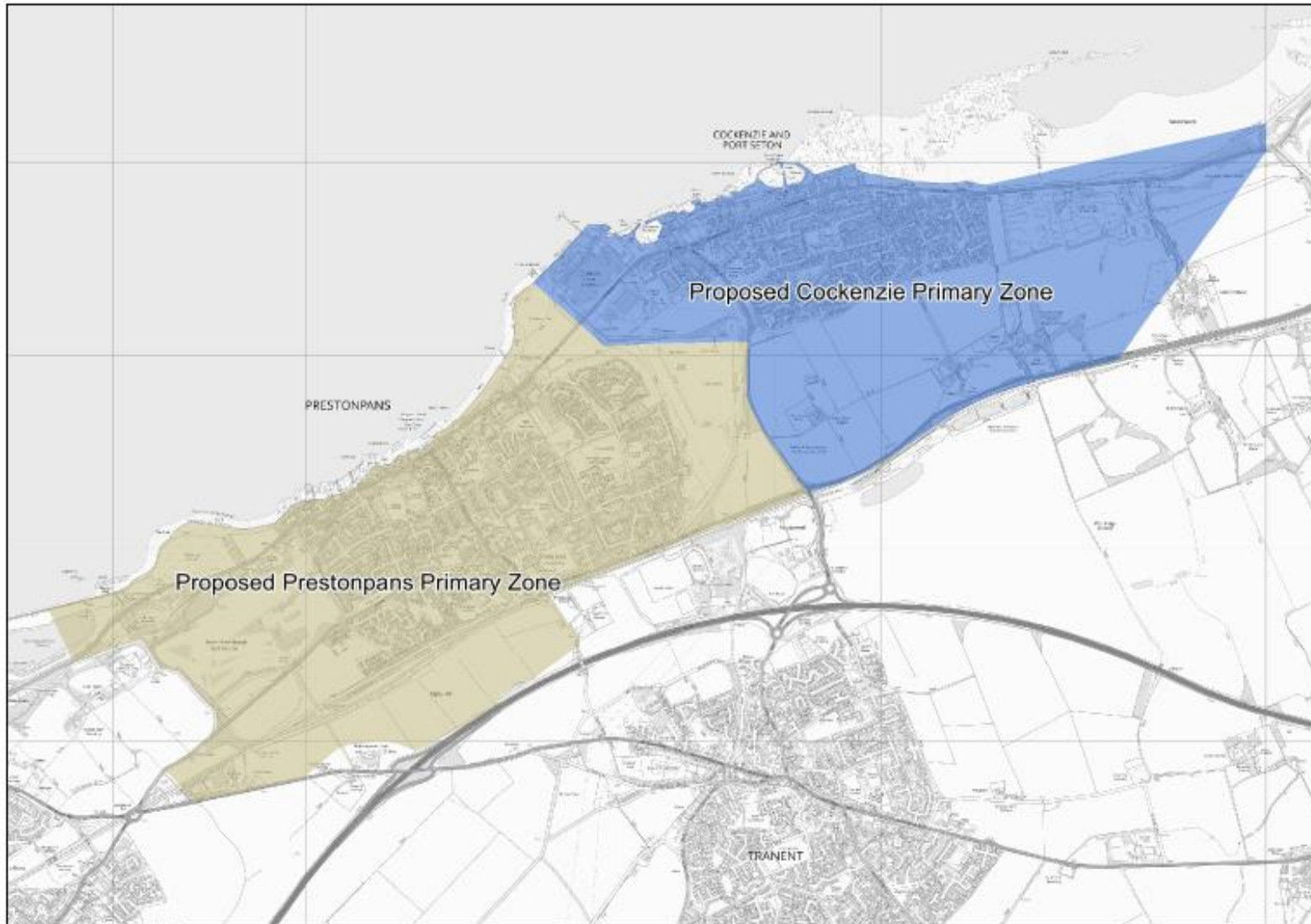
Proposed Whitecraig Primary Education Contribution Zone



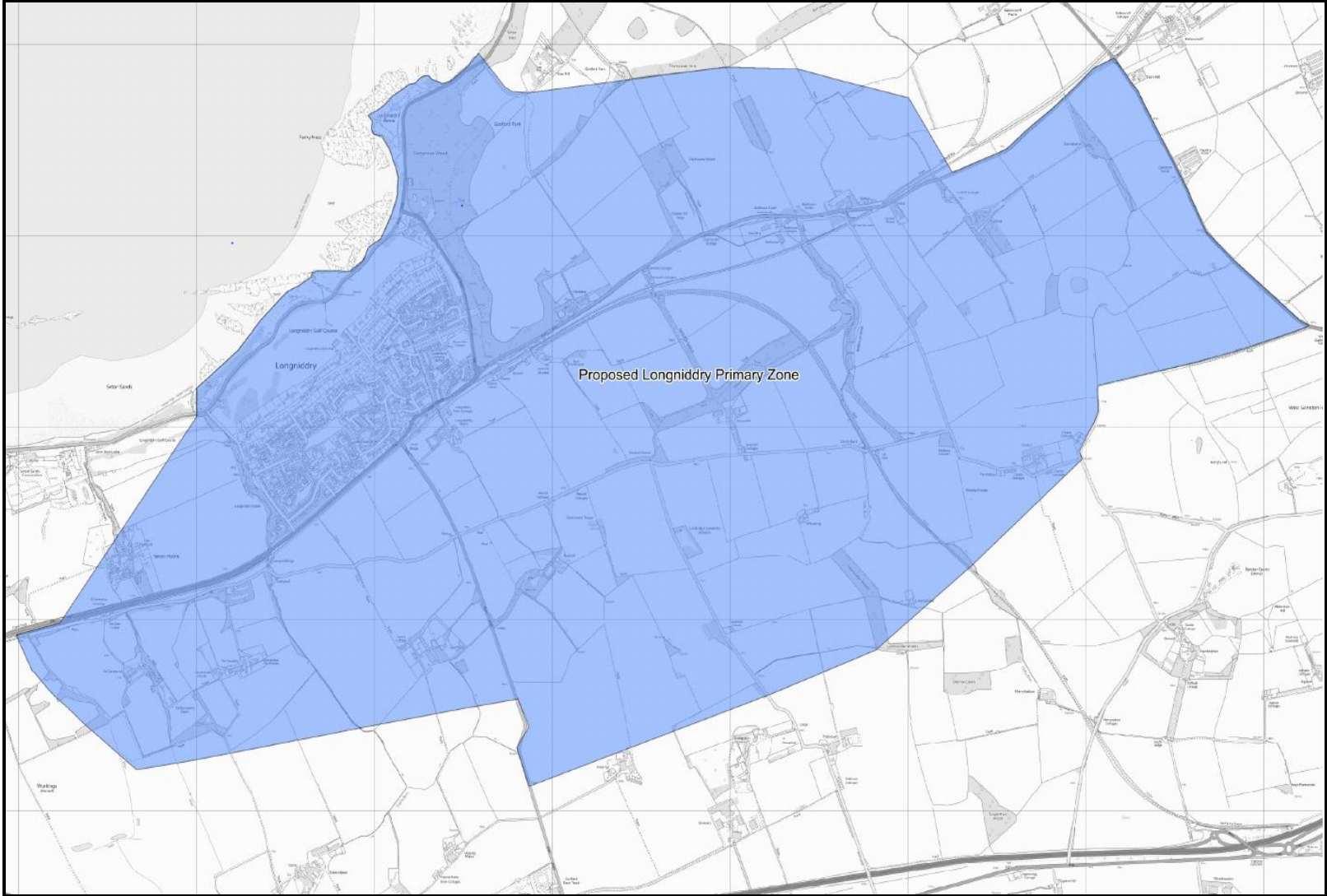
Proposed Prestonpans Secondary Education Contribution Zone



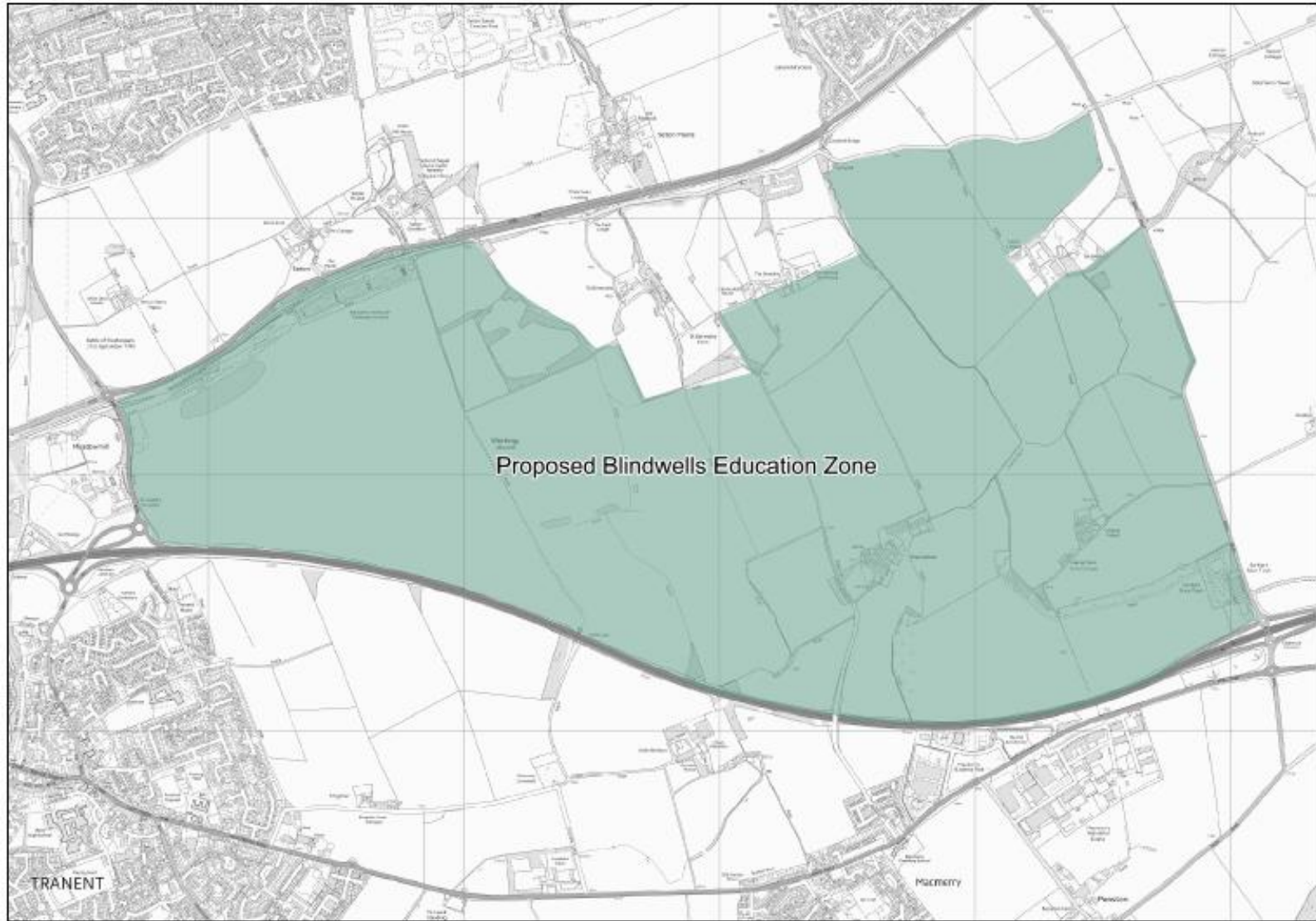
Proposed Prestonpans (Prestonpans Infant and Primary) and Cockenzie Primary Education Contribution Zones



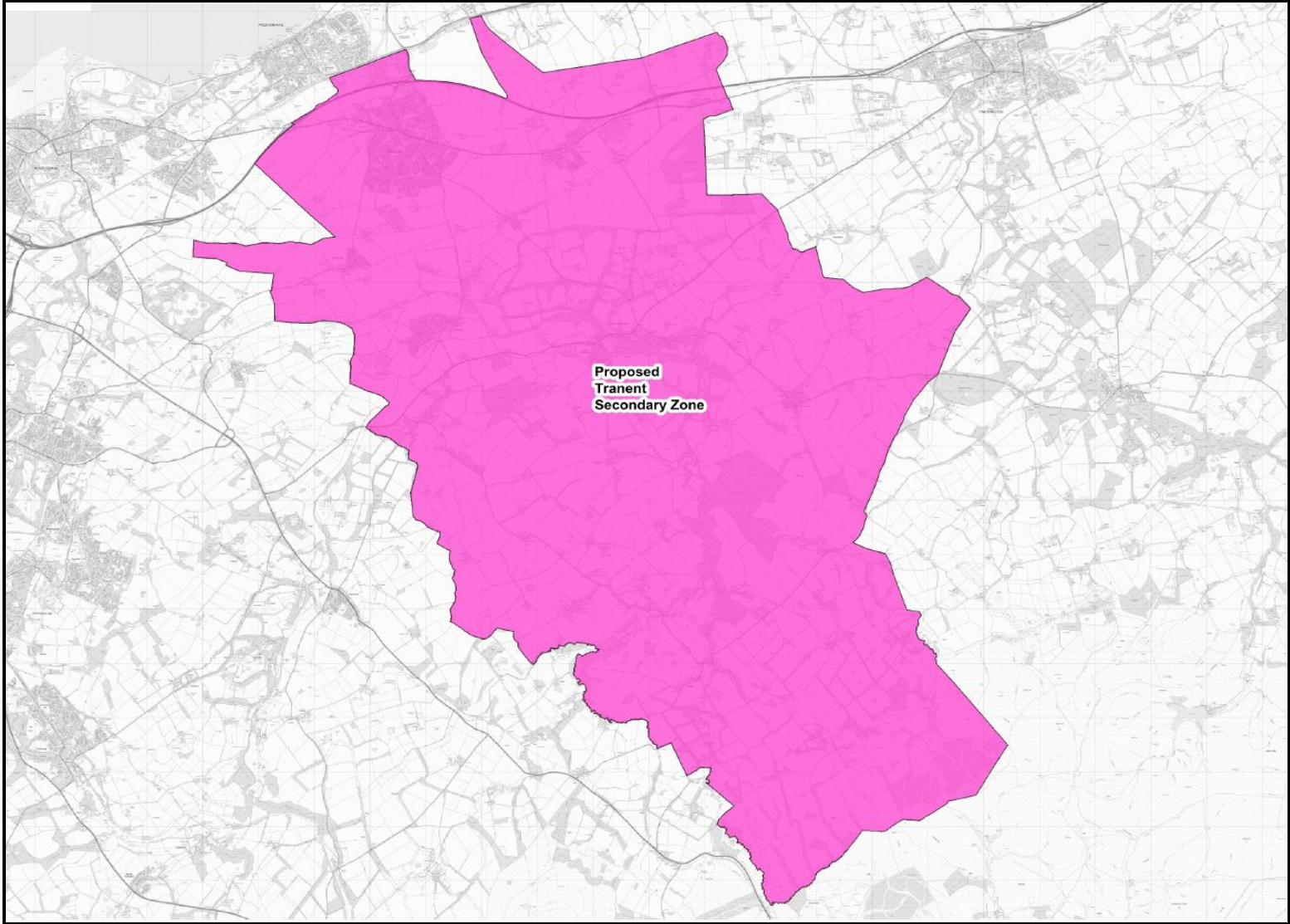
Proposed Longniddry Primary Education Contribution Zone



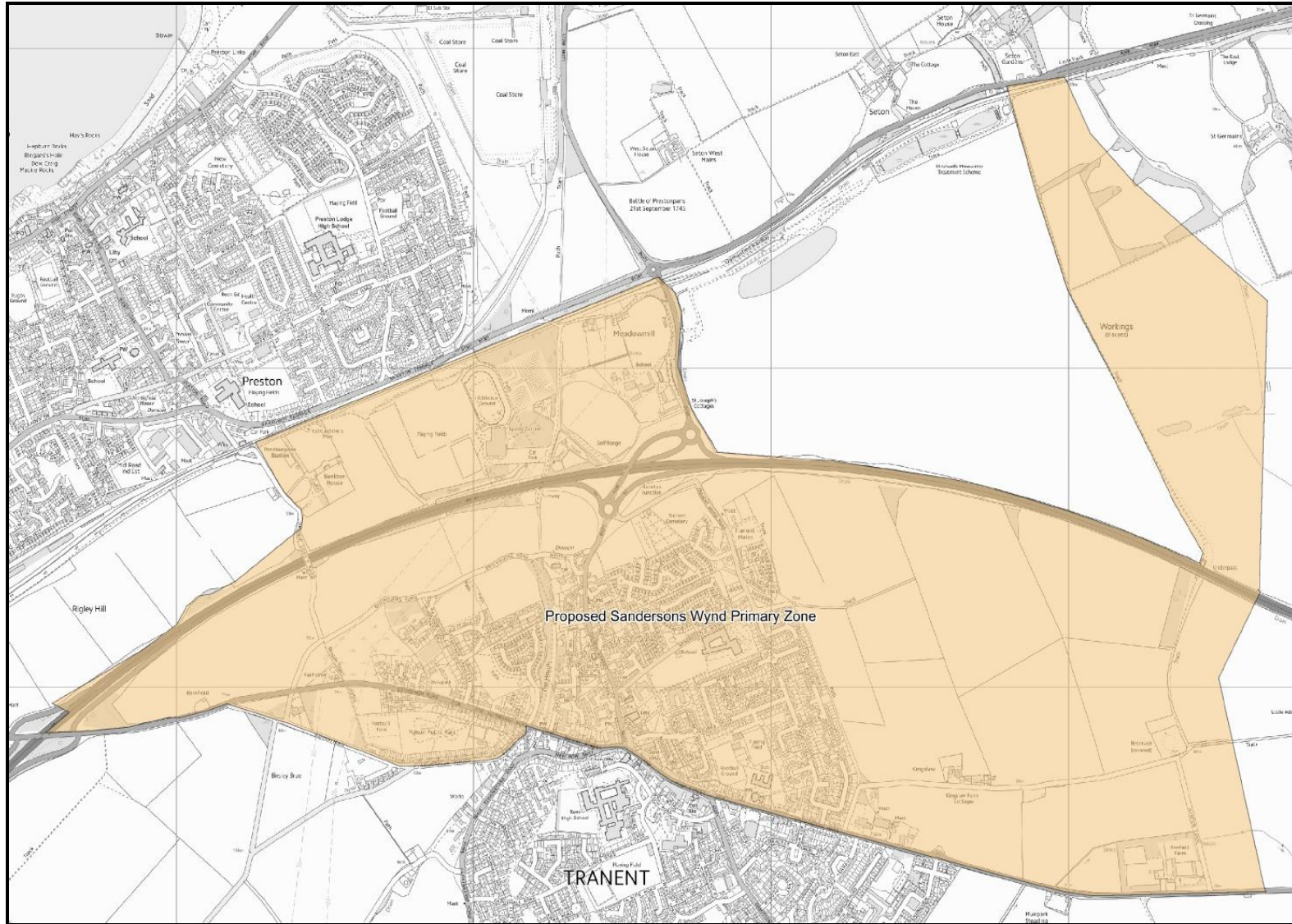
Proposed Blindwells Education Contribution Zone



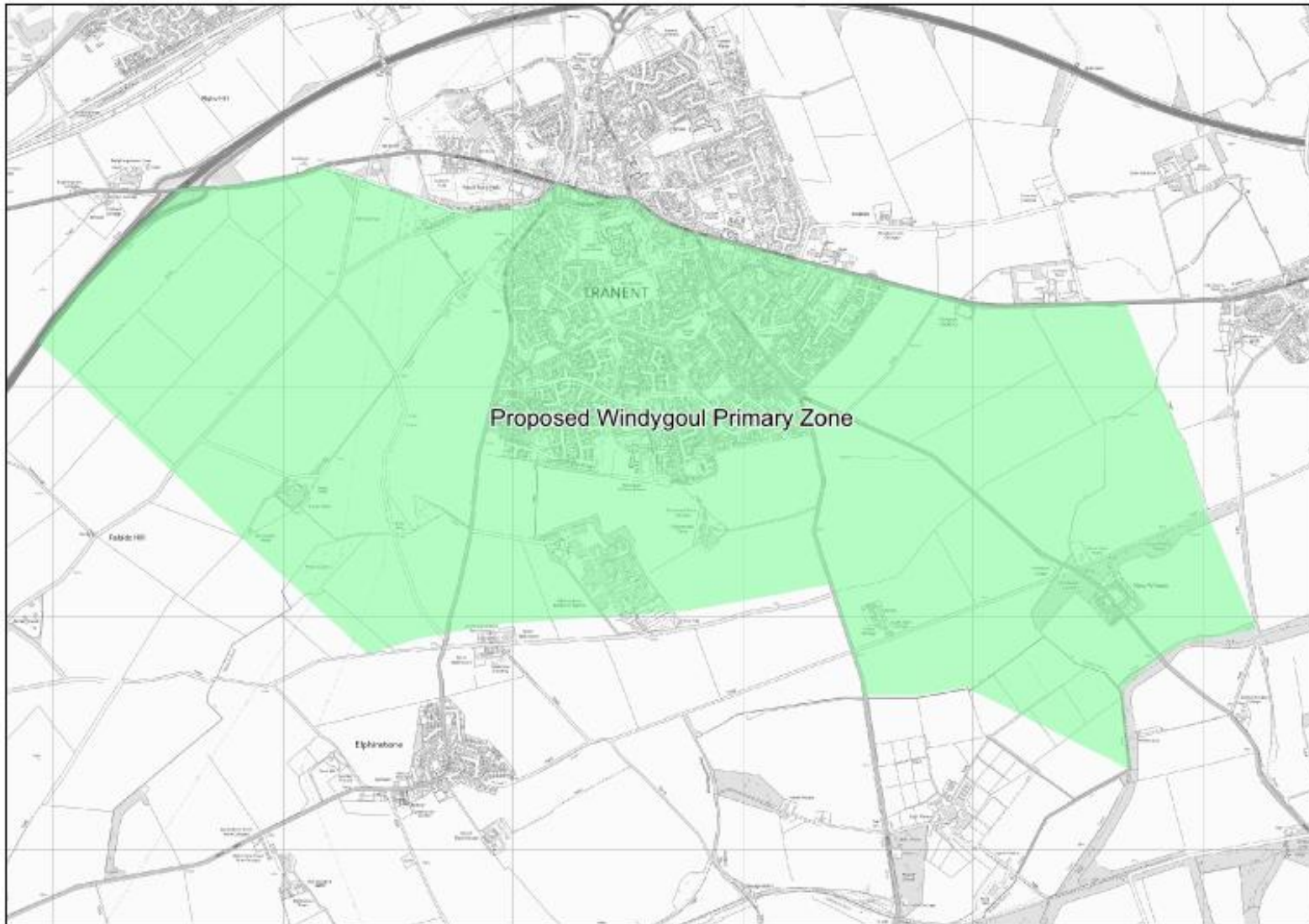
Proposed Tranent Secondary Education Contribution Zone



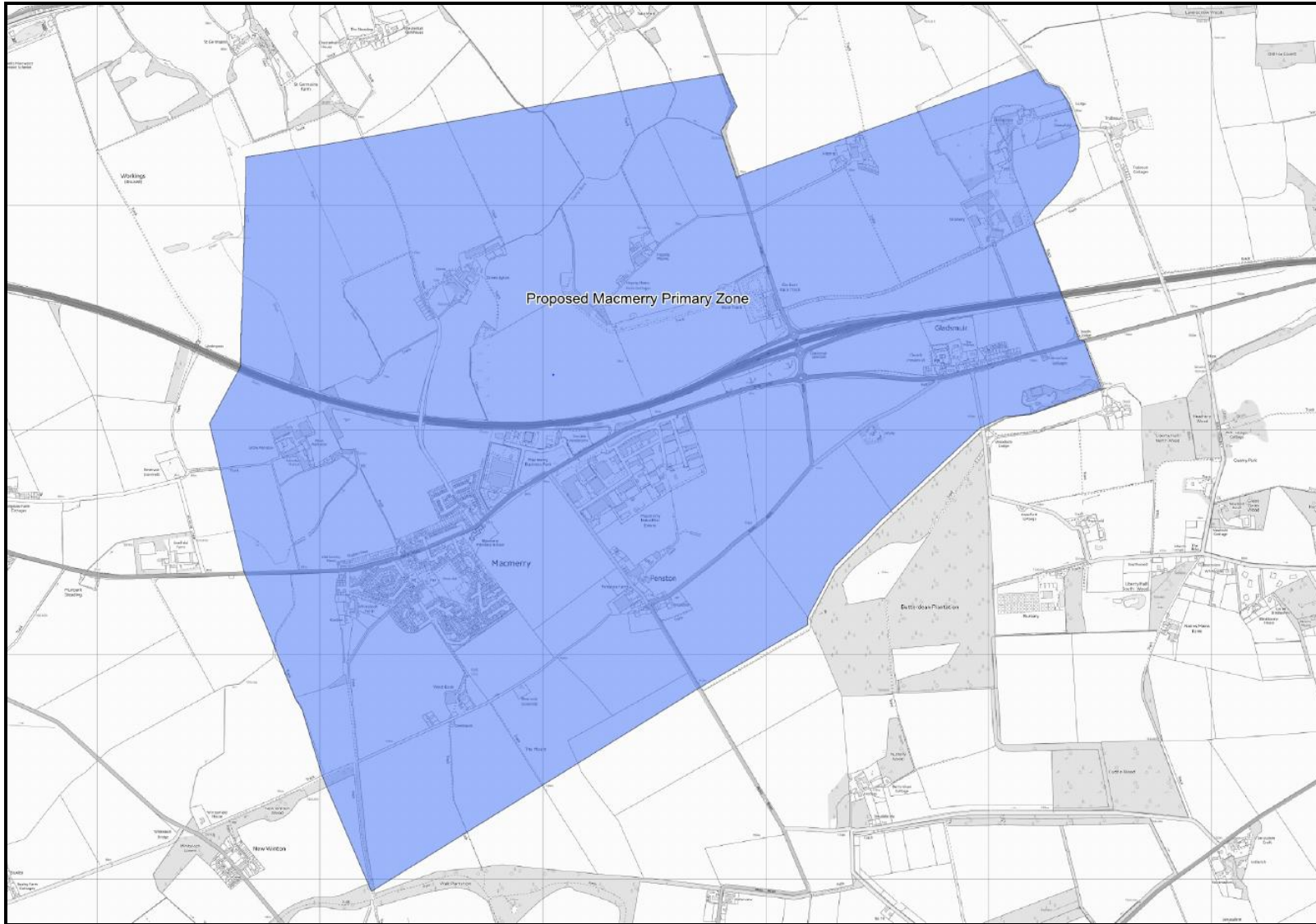
Proposed Sandersons Wynd Primary Education Contribution Zone



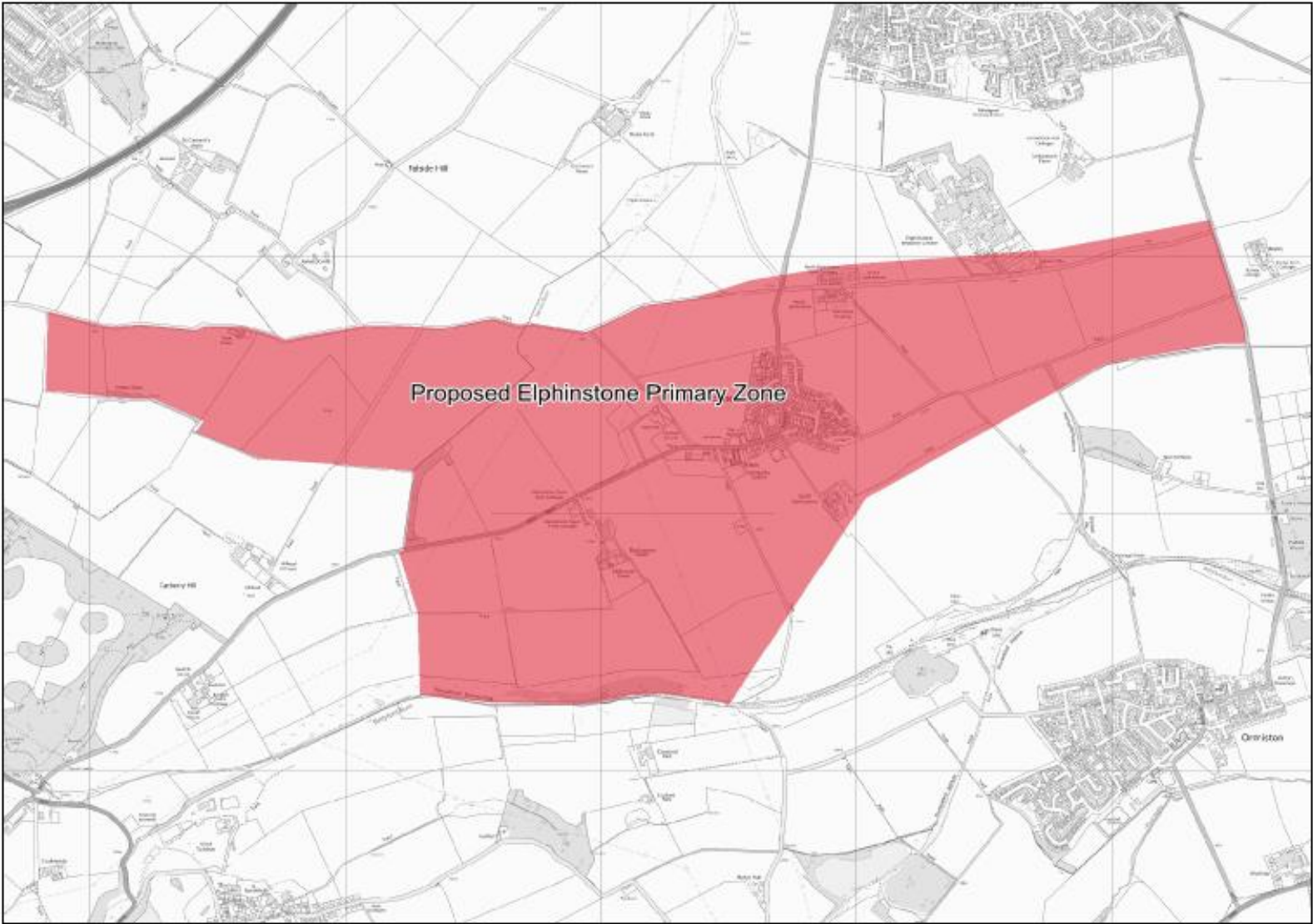
Proposed Windygoul Primary Education Contribution Zone



Proposed Macmerry Primary Education Contribution Zone



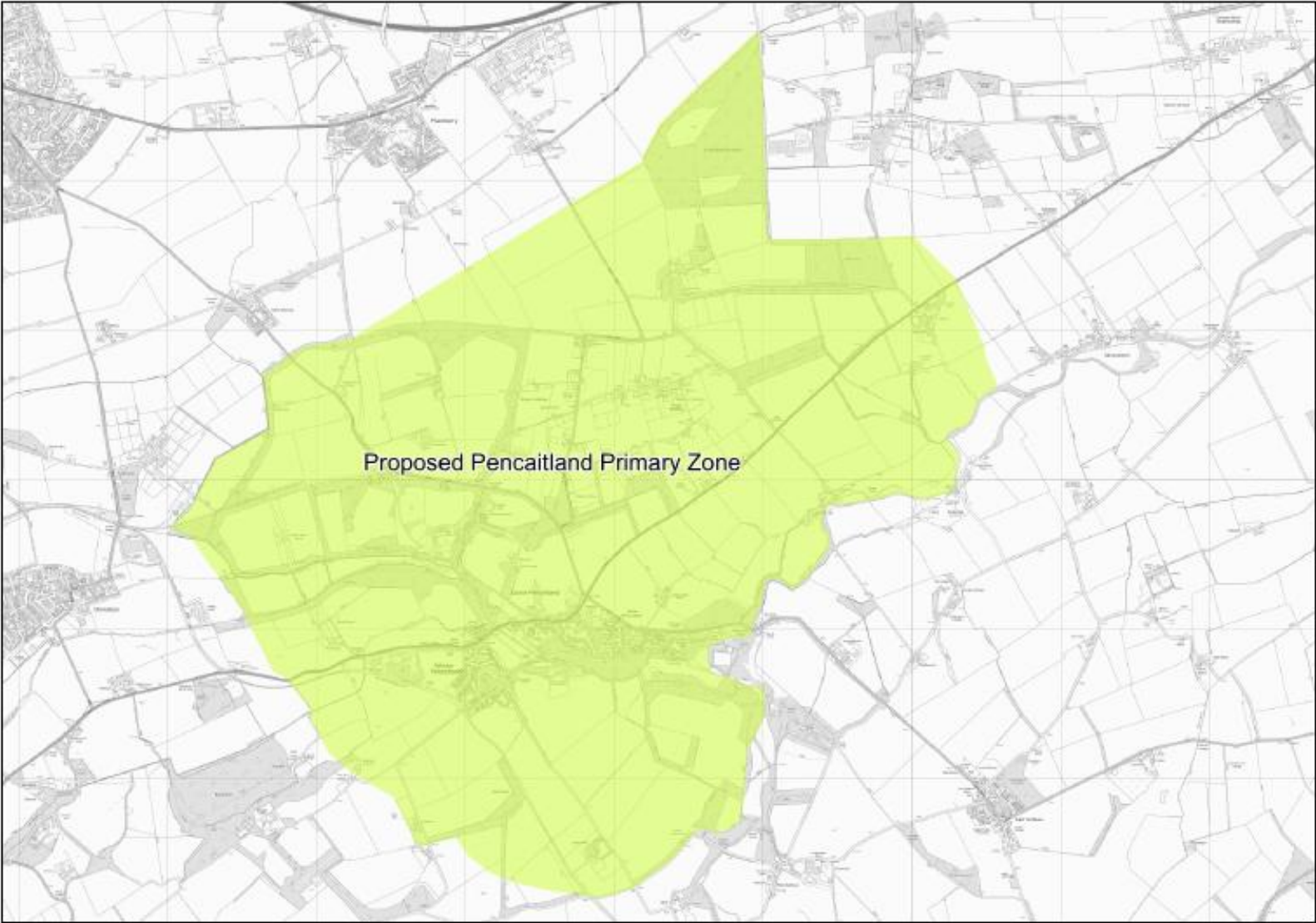
Proposed Elphinstone Primary Education Contribution Zone



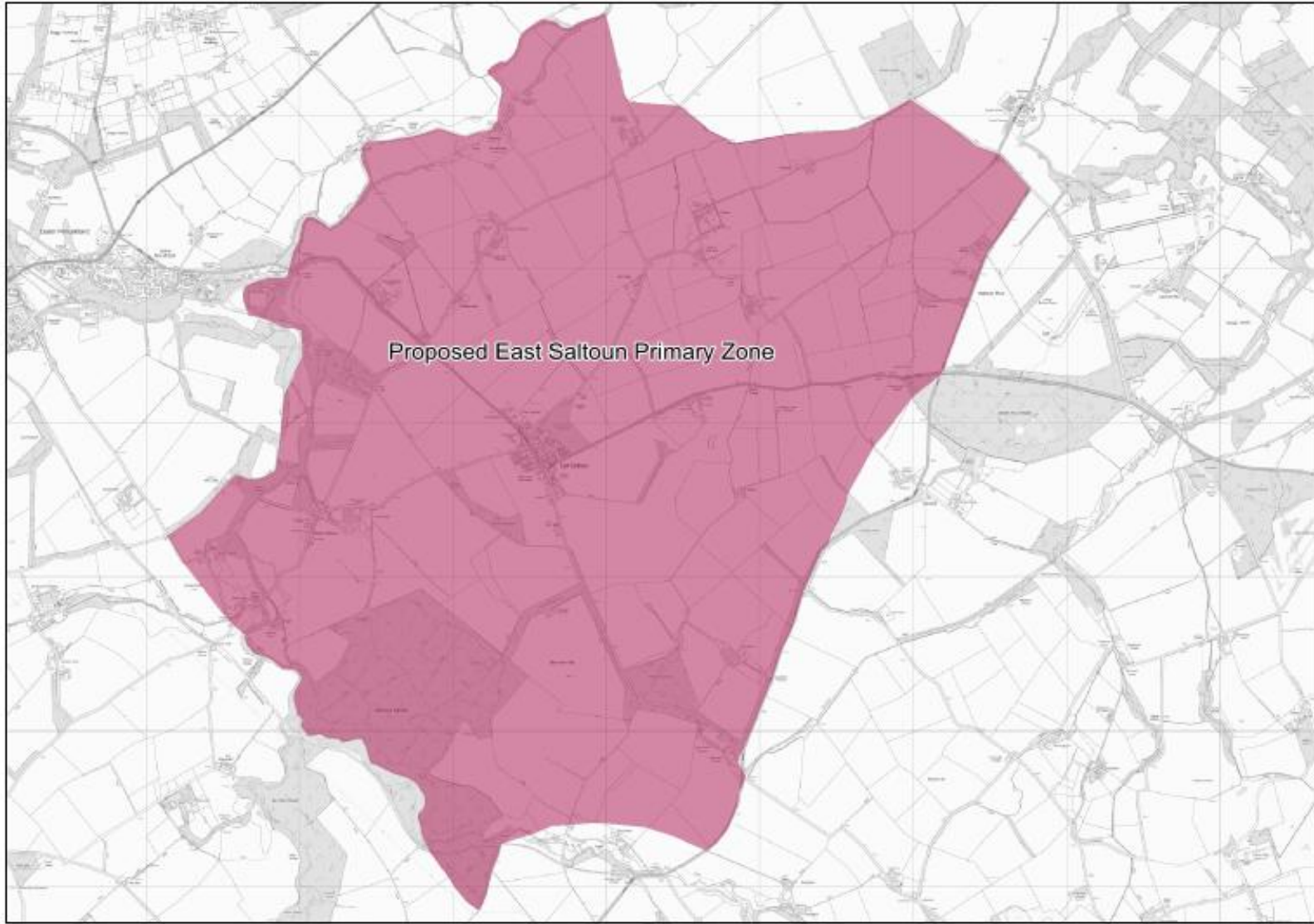
Proposed Ormiston Primary Education Contribution Zone



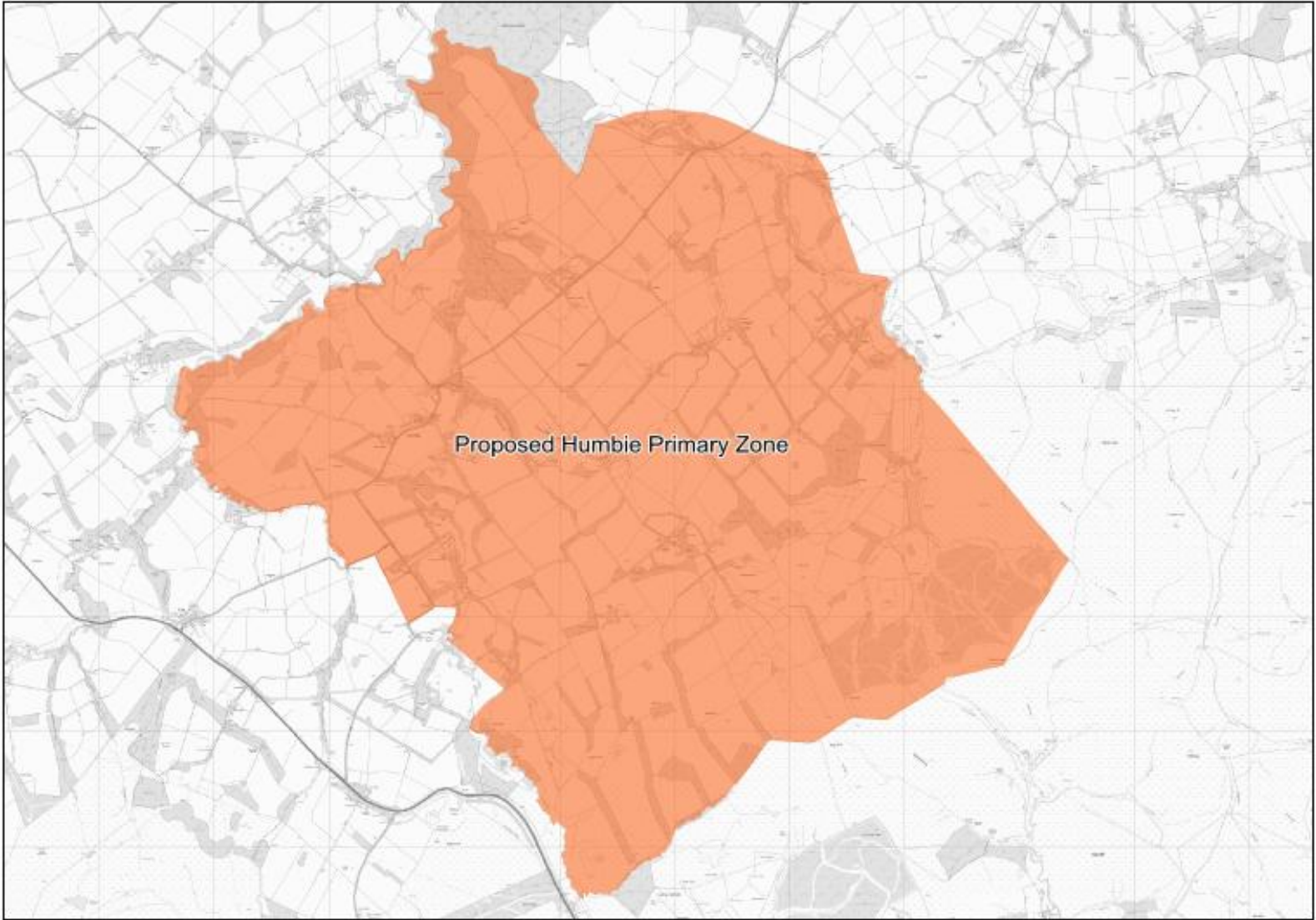
Proposed Pencaitland Primary Education Contribution Zone



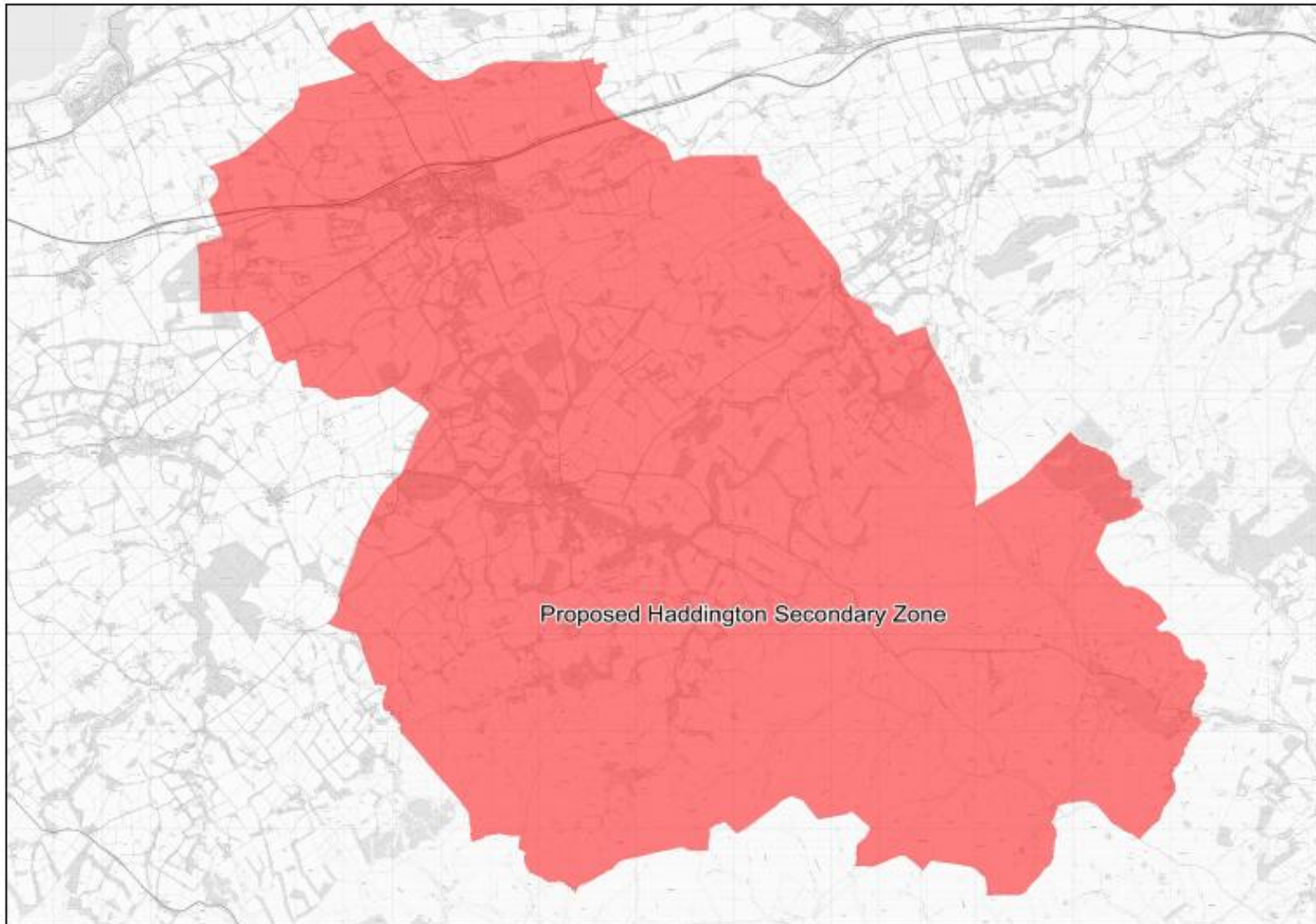
Proposed Saltoun Primary Education Contribution Zone



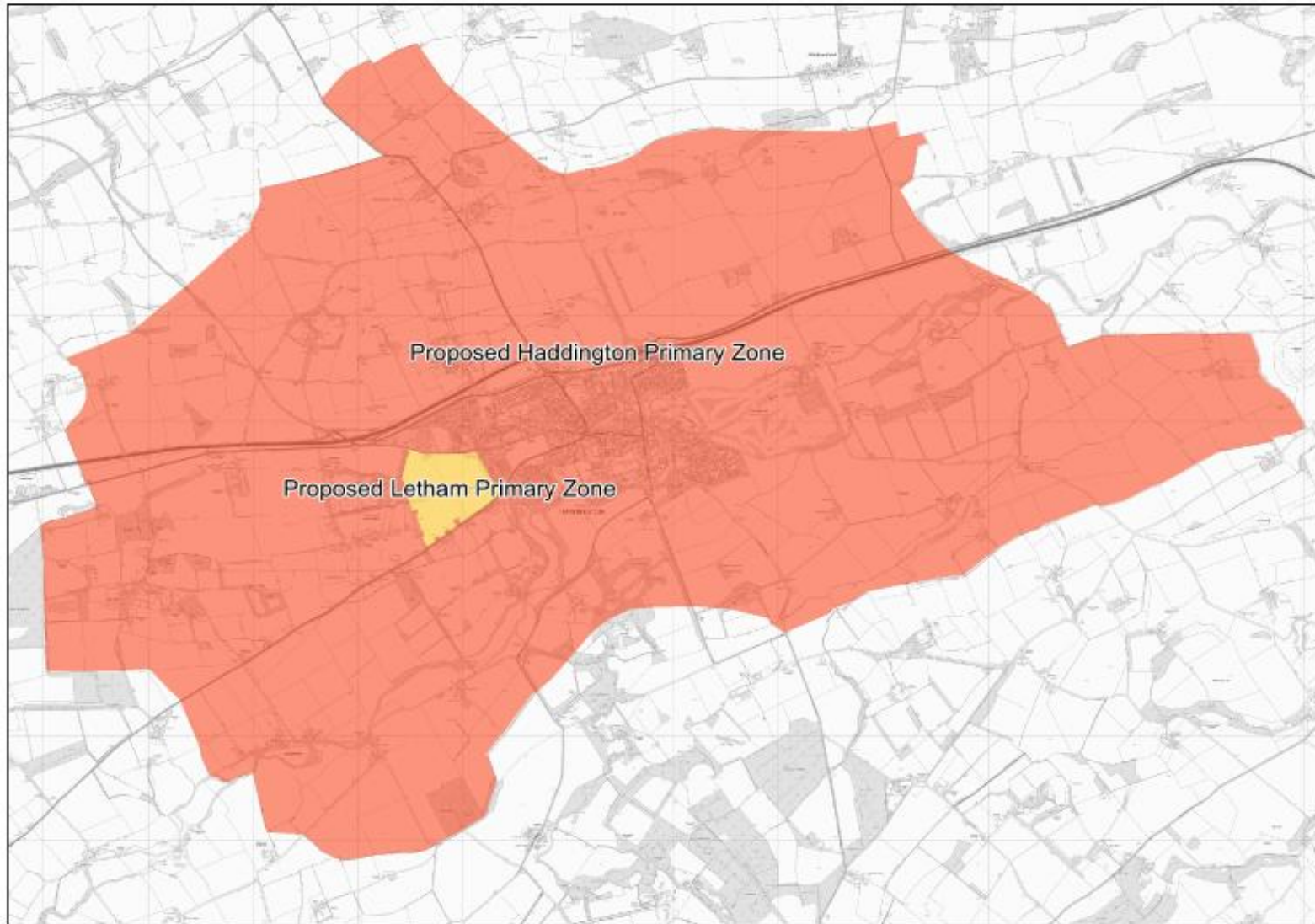
Proposed Humbie Primary Education Contribution Zone



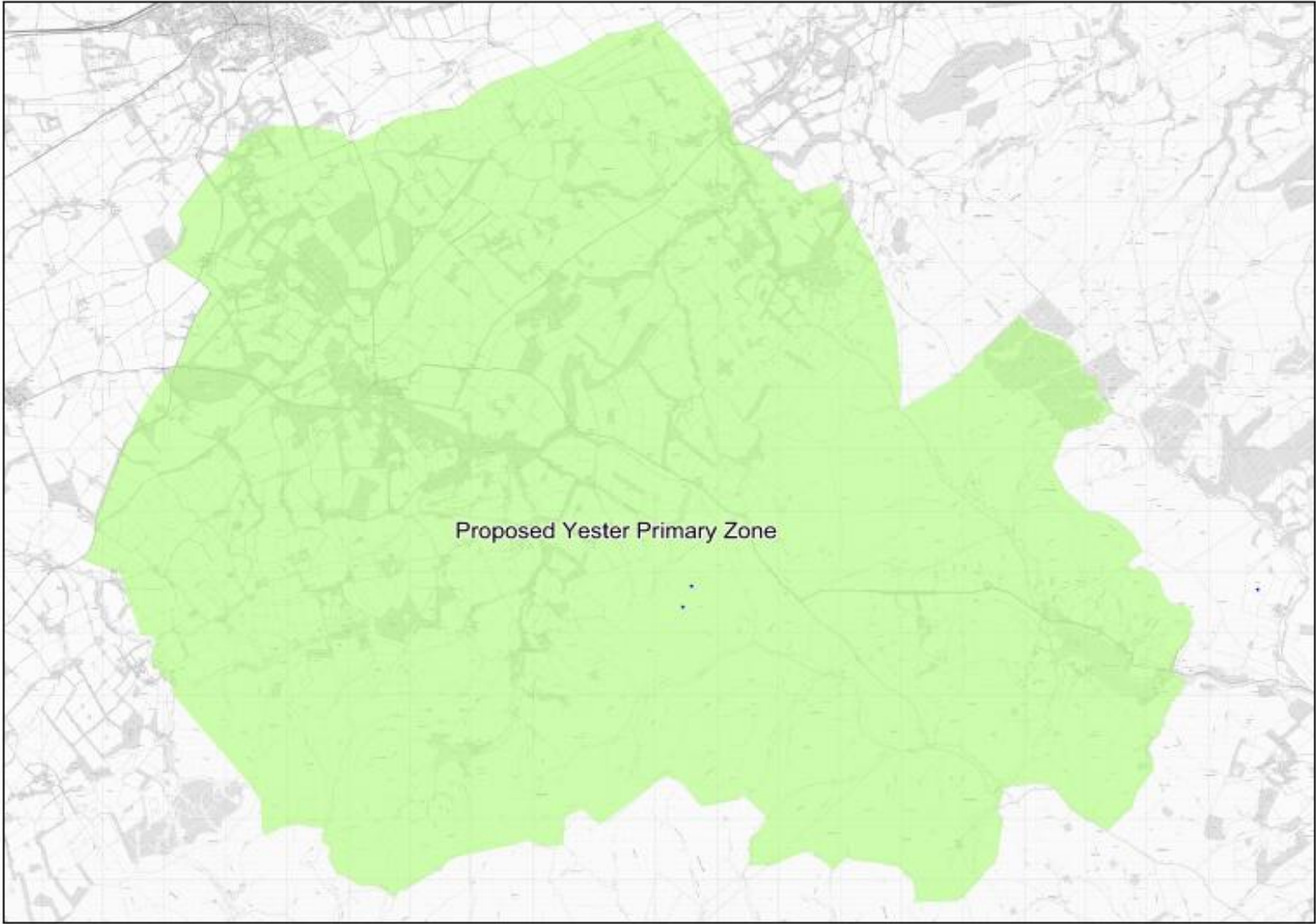
Proposed Haddington Secondary Education Contribution Zone



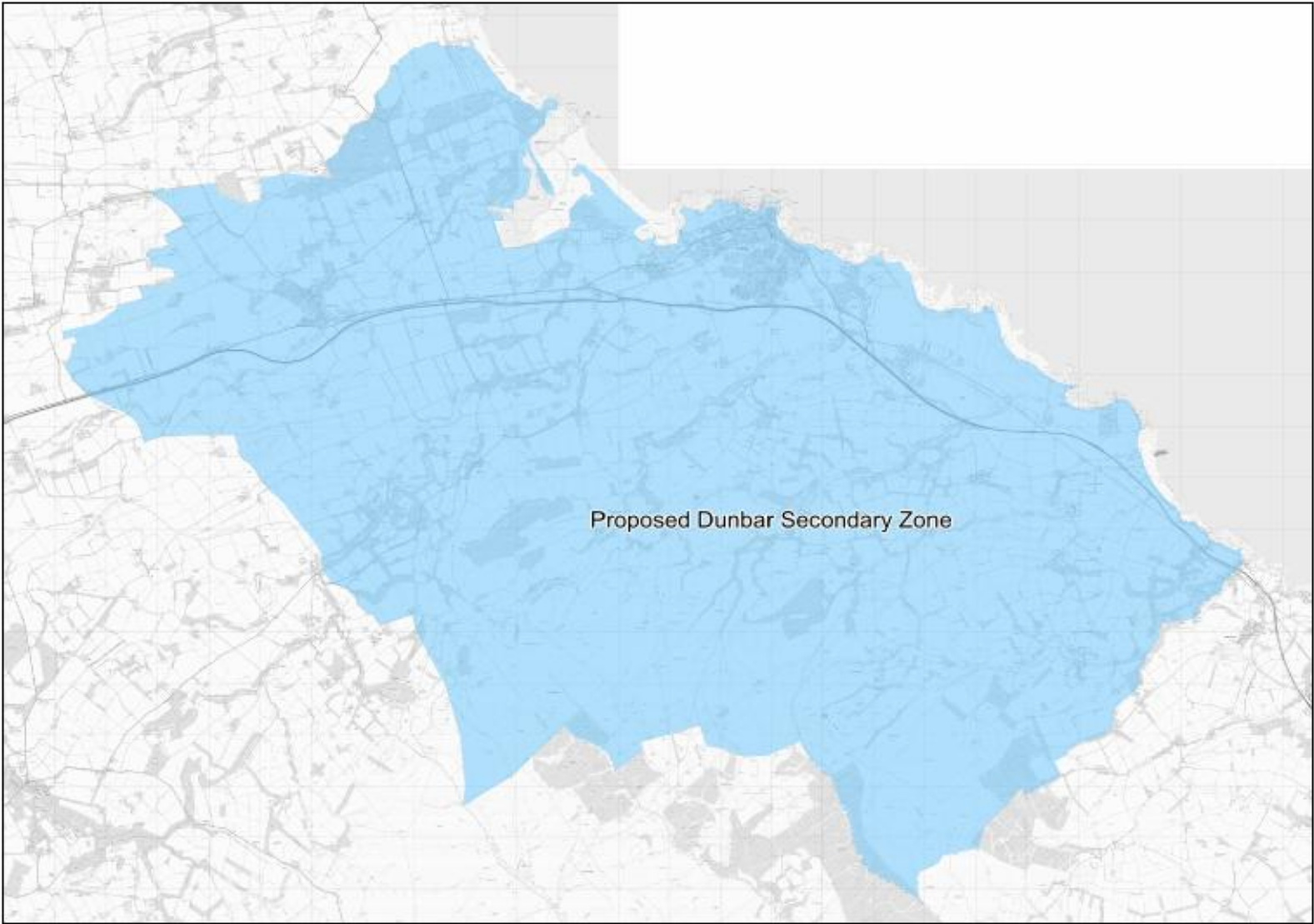
Proposed Haddington (Haddington Infant and King's Meadow) and Letham Mains Primary Education Contribution Zones



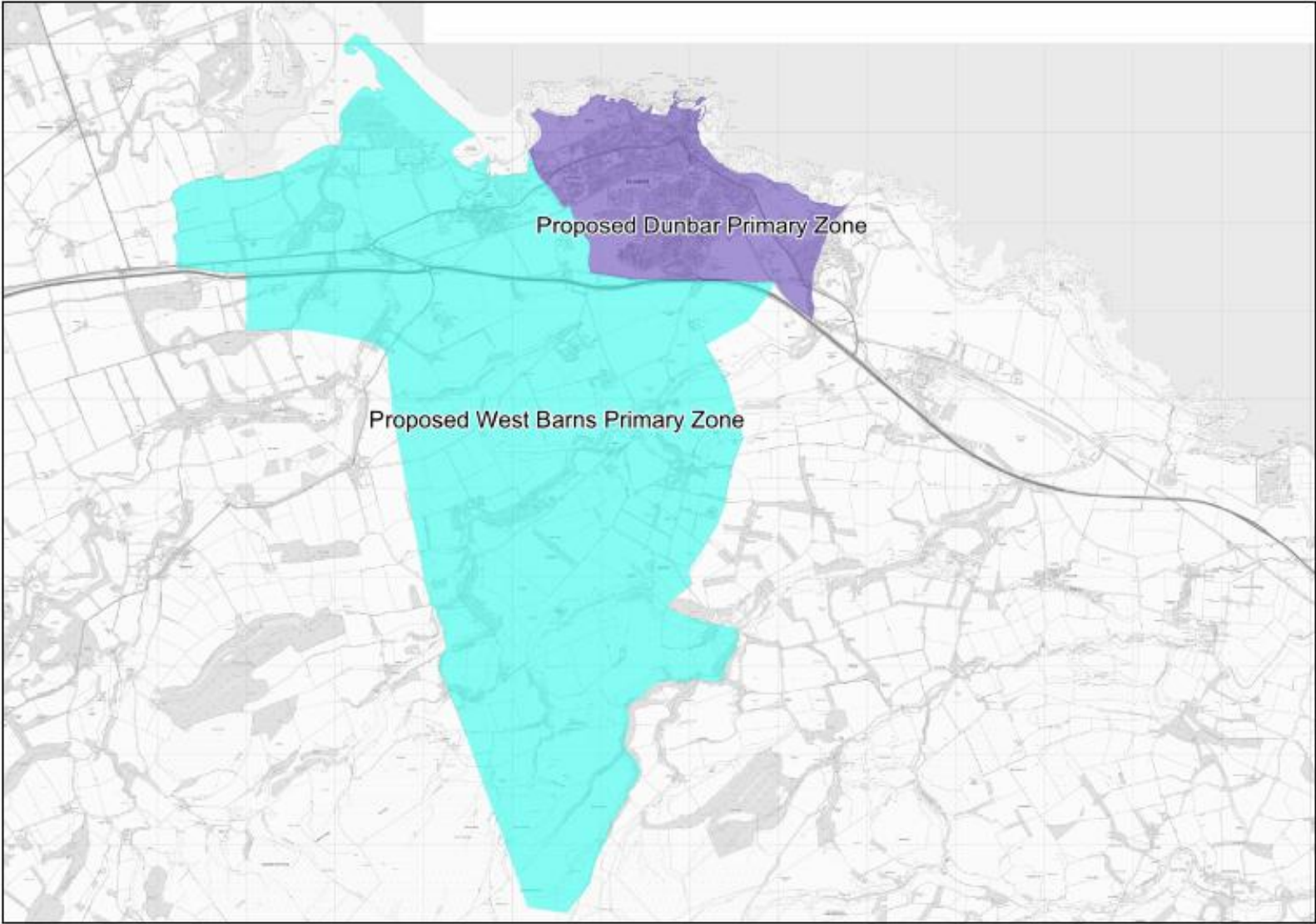
Proposed Yester Primary Education Contribution Zone



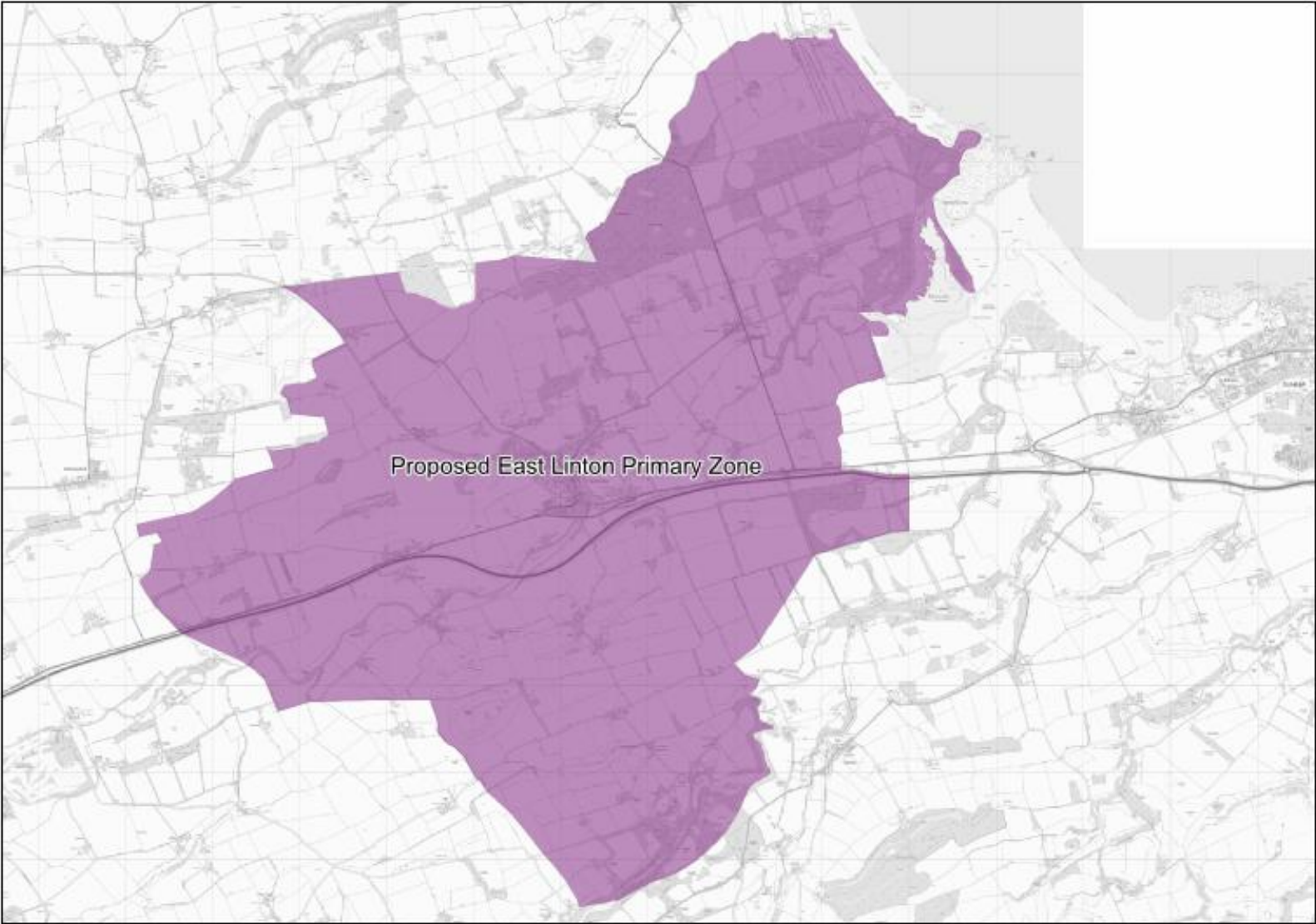
Proposed Dunbar Secondary Education Contribution Zone



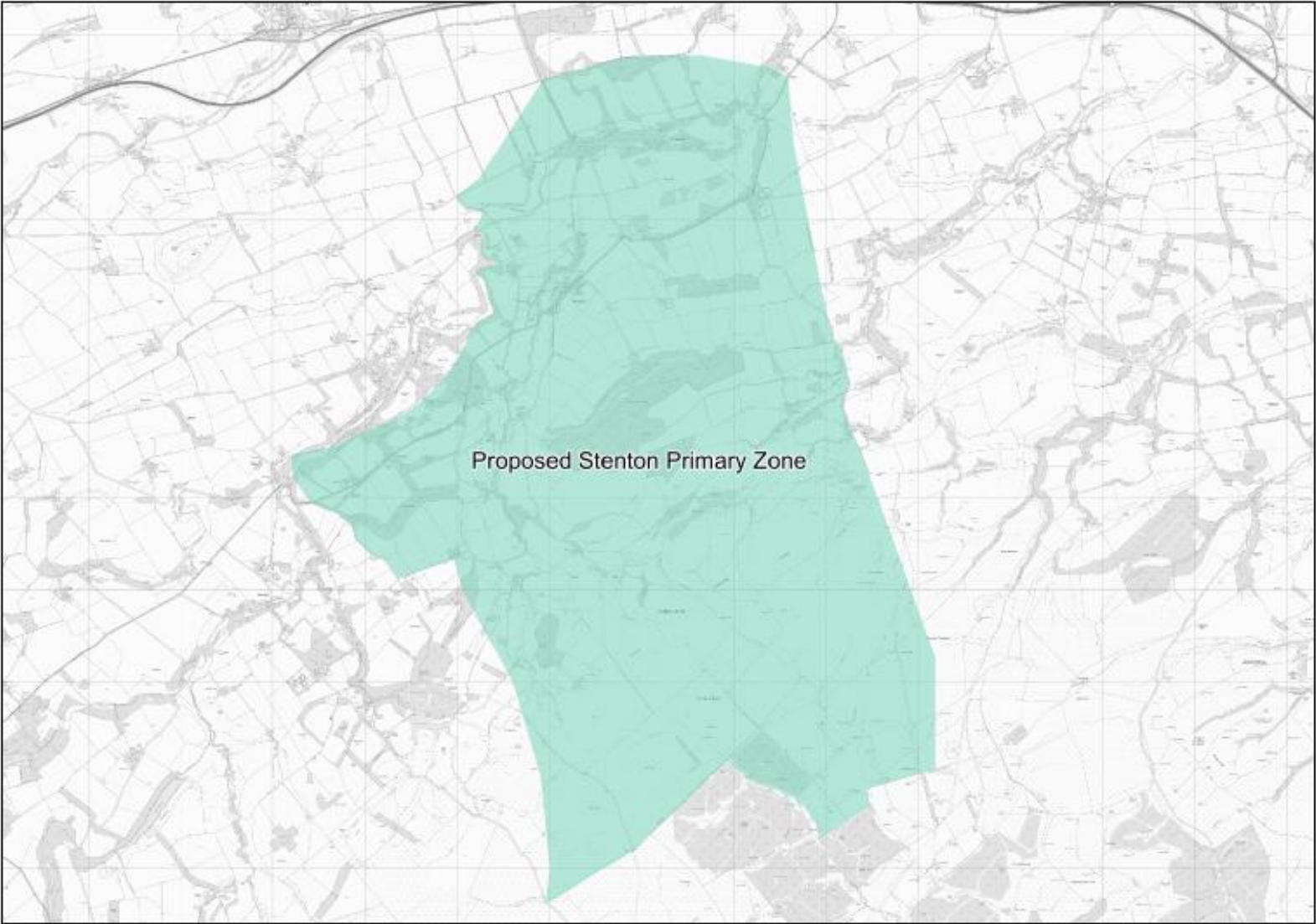
Proposed Dunbar and West Barns Primary Education Contribution Zones



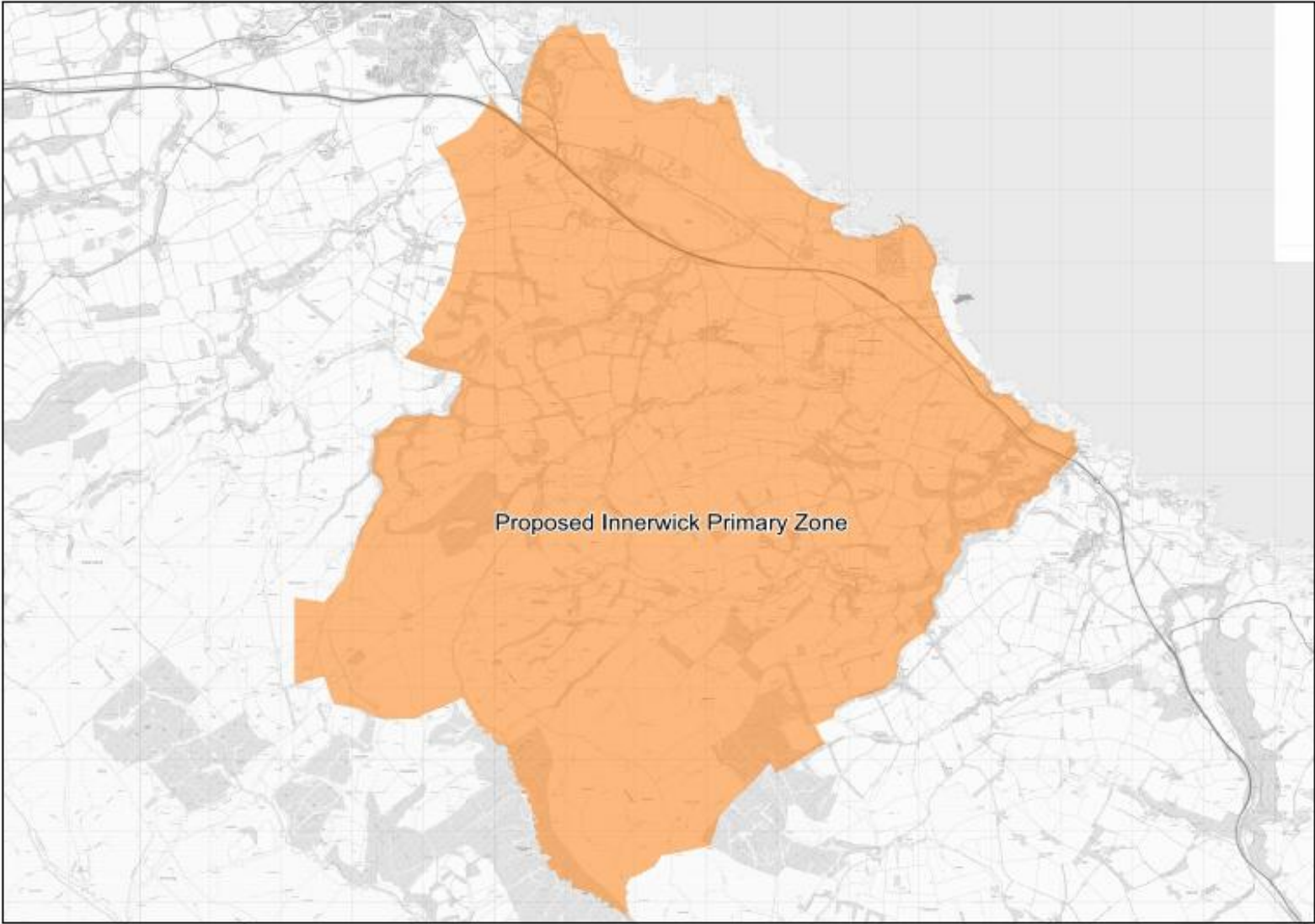
Proposed East Linton Primary Education Contribution Zone



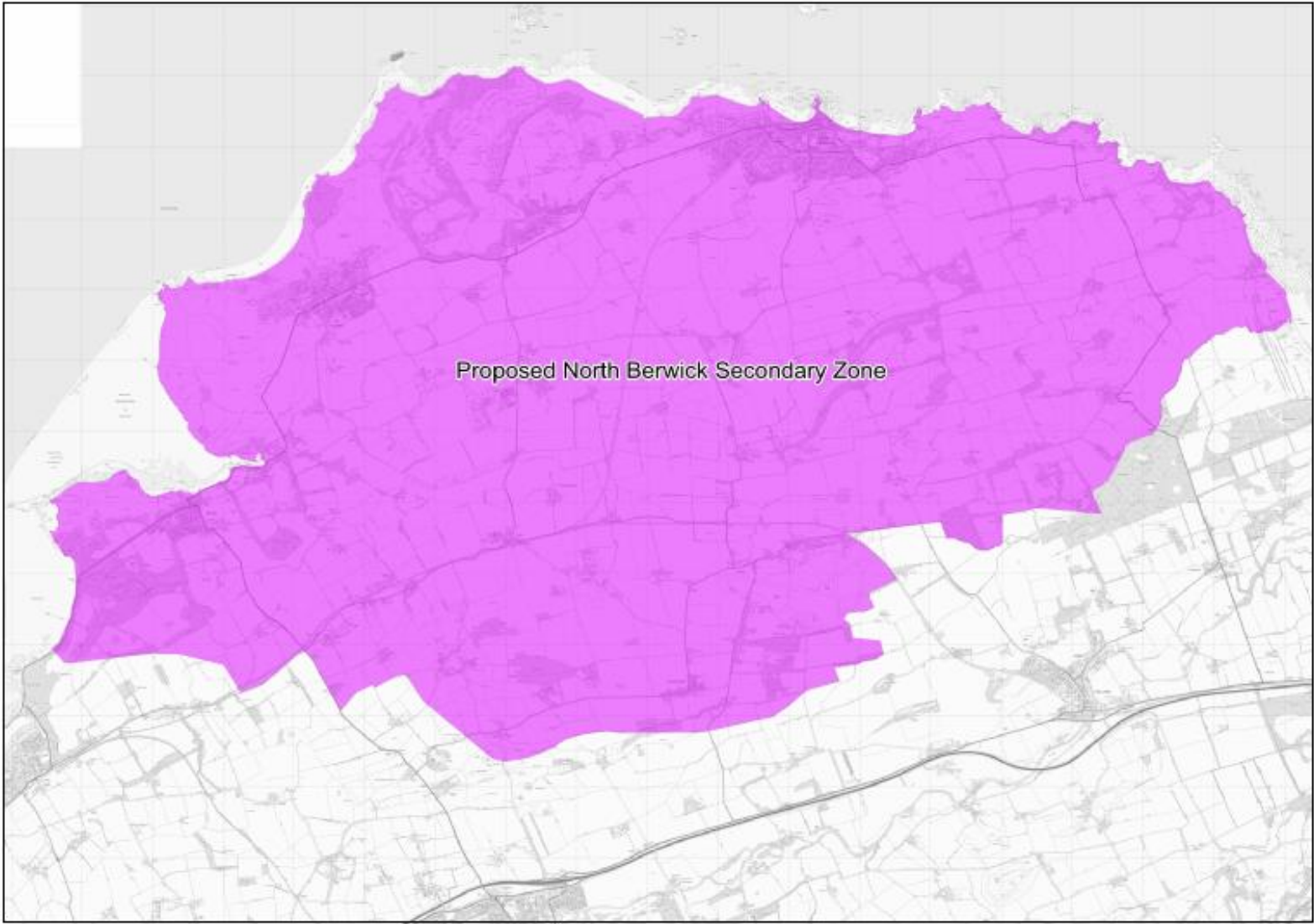
Proposed Stenton Primary Education Contribution Zone



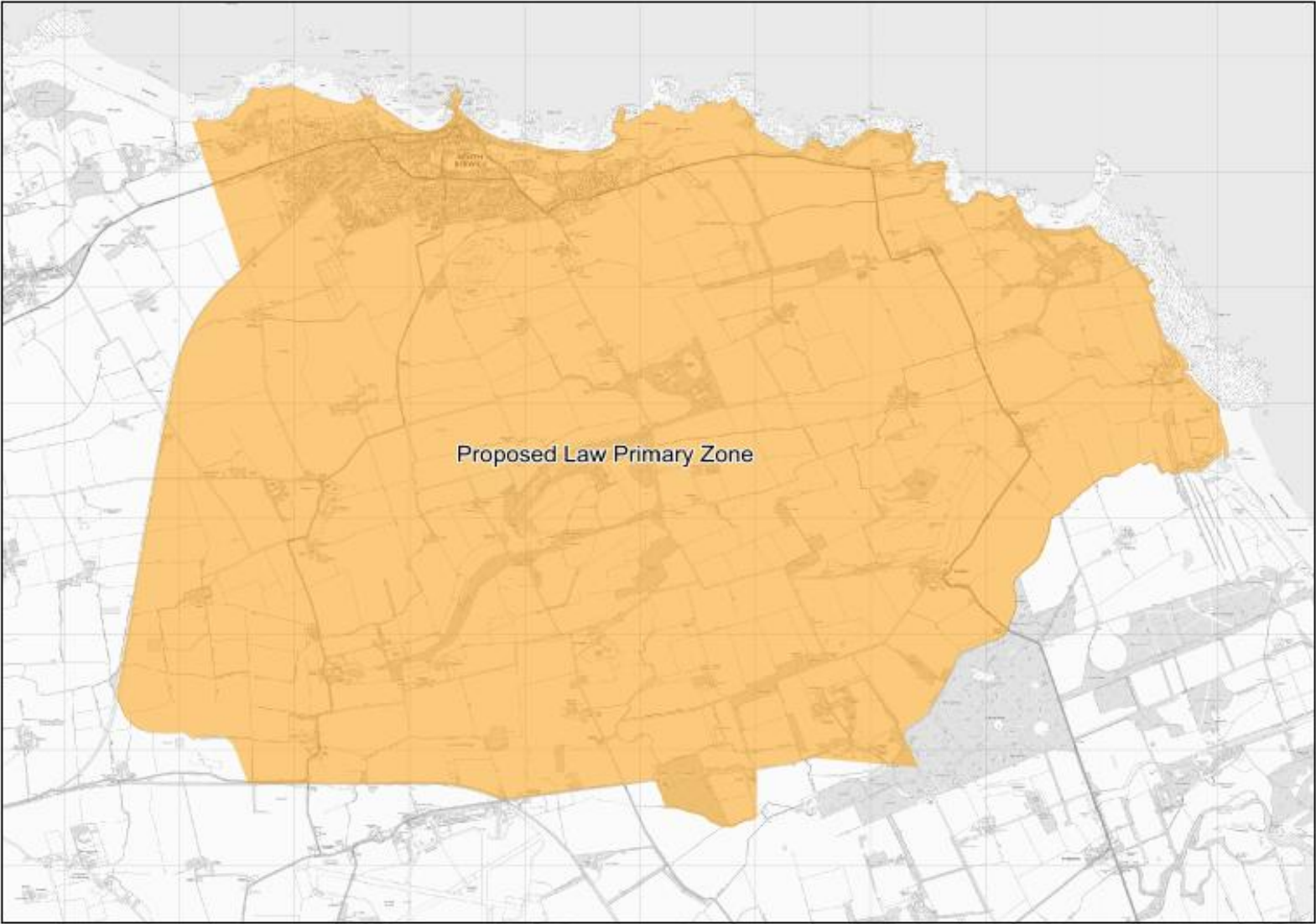
Proposed Innerwick Primary Education Contribution Zone



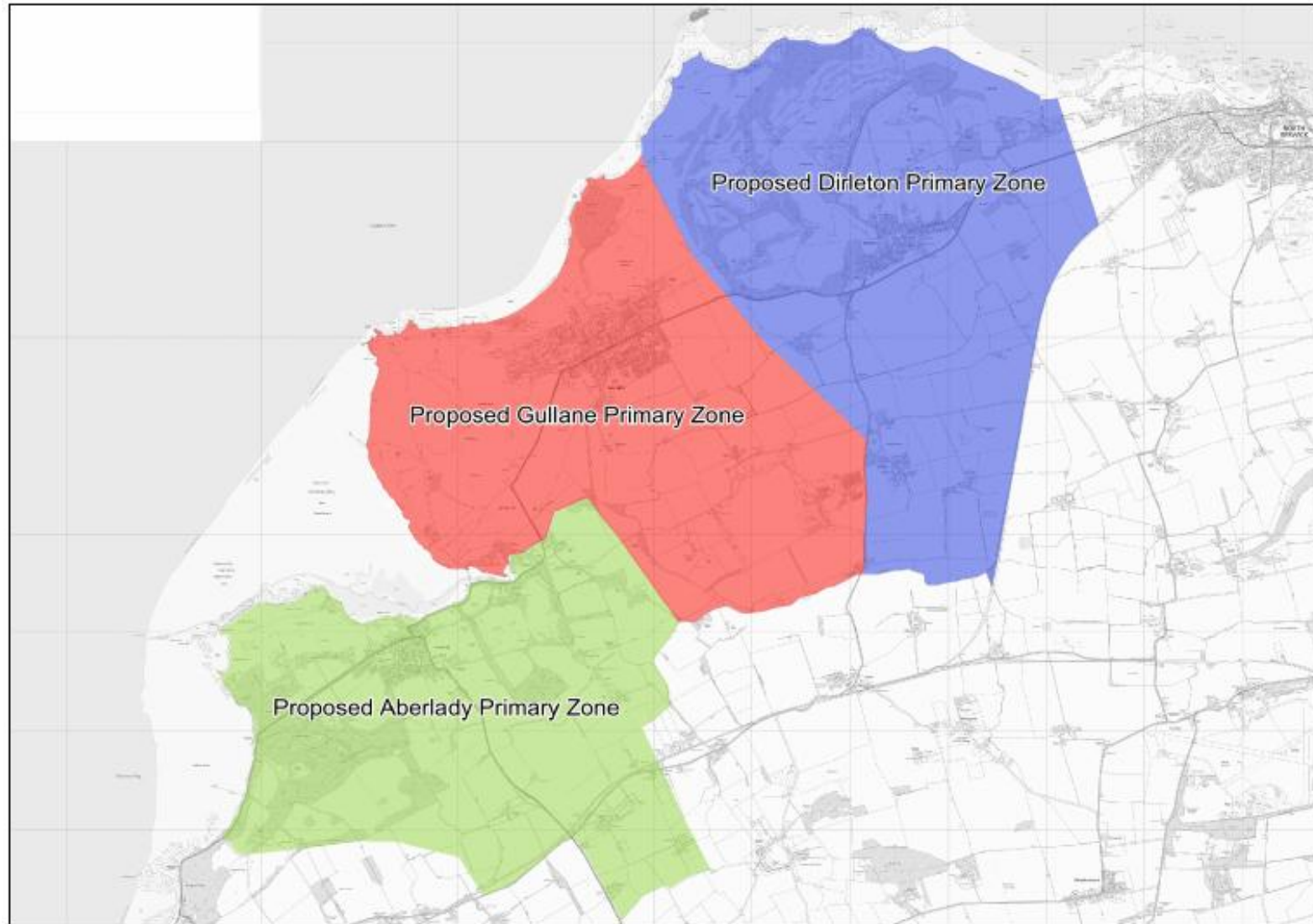
Proposed North Berwick Secondary Education Contribution Zone



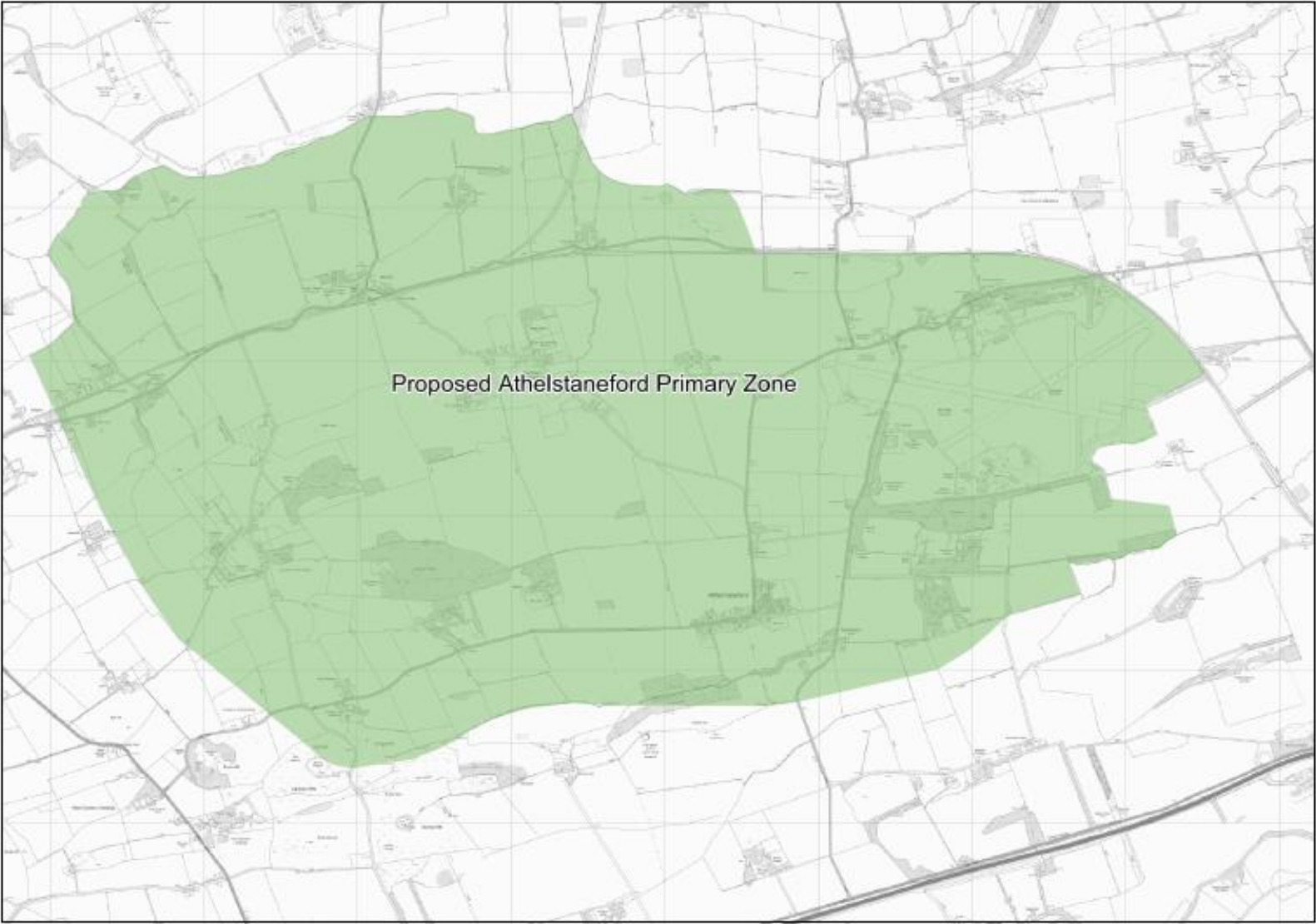
Proposed Law Primary Education Contribution Zone



Proposed Dirleton, Gullane and Aberlady Primary Education Contribution Zones

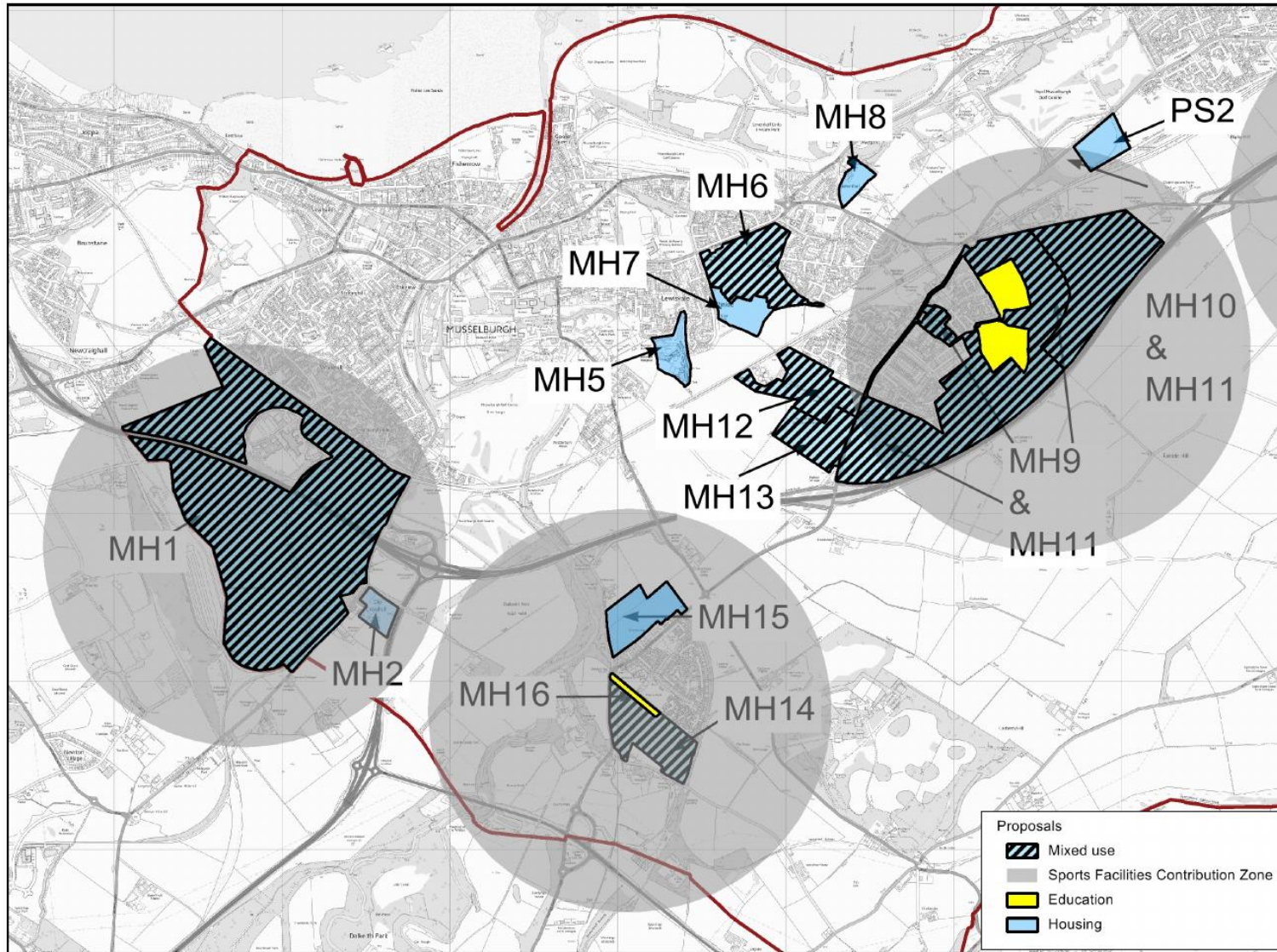


Proposed Athelstaneford Primary Education Contribution Zone

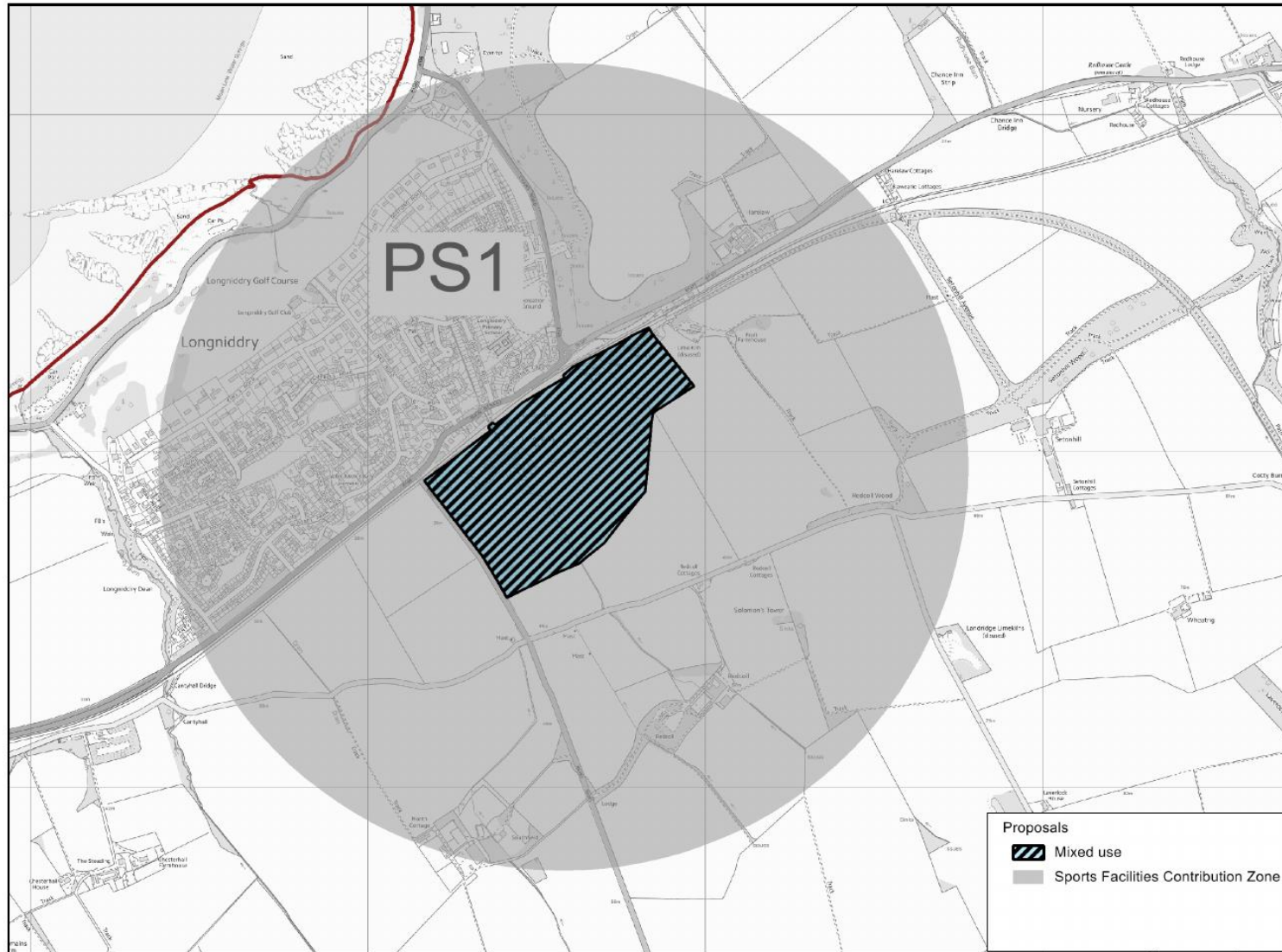


Developer Contribution Zones: Sports Facilities

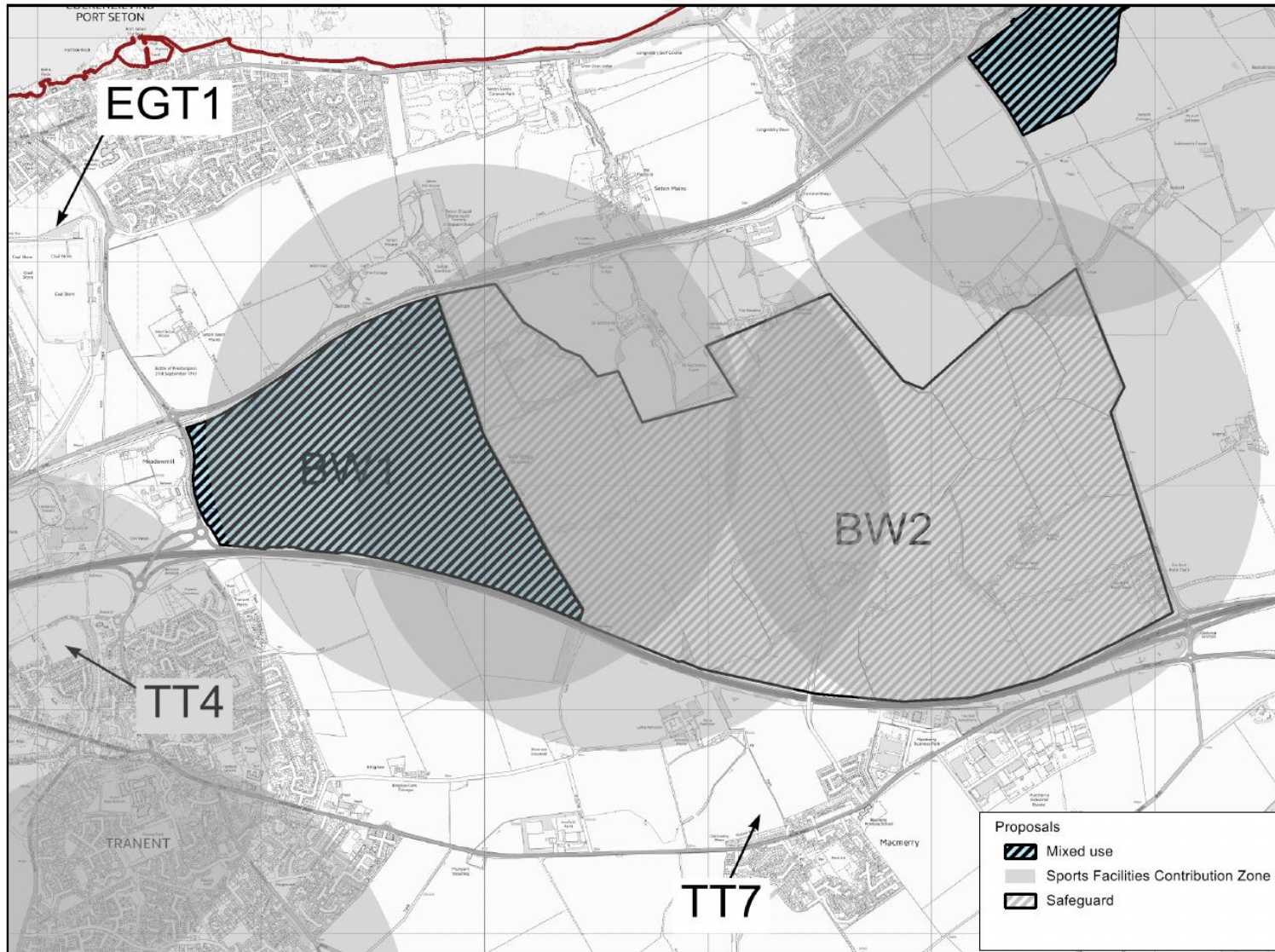
Proposed Musselburgh Sports Facilities Contribution Zones



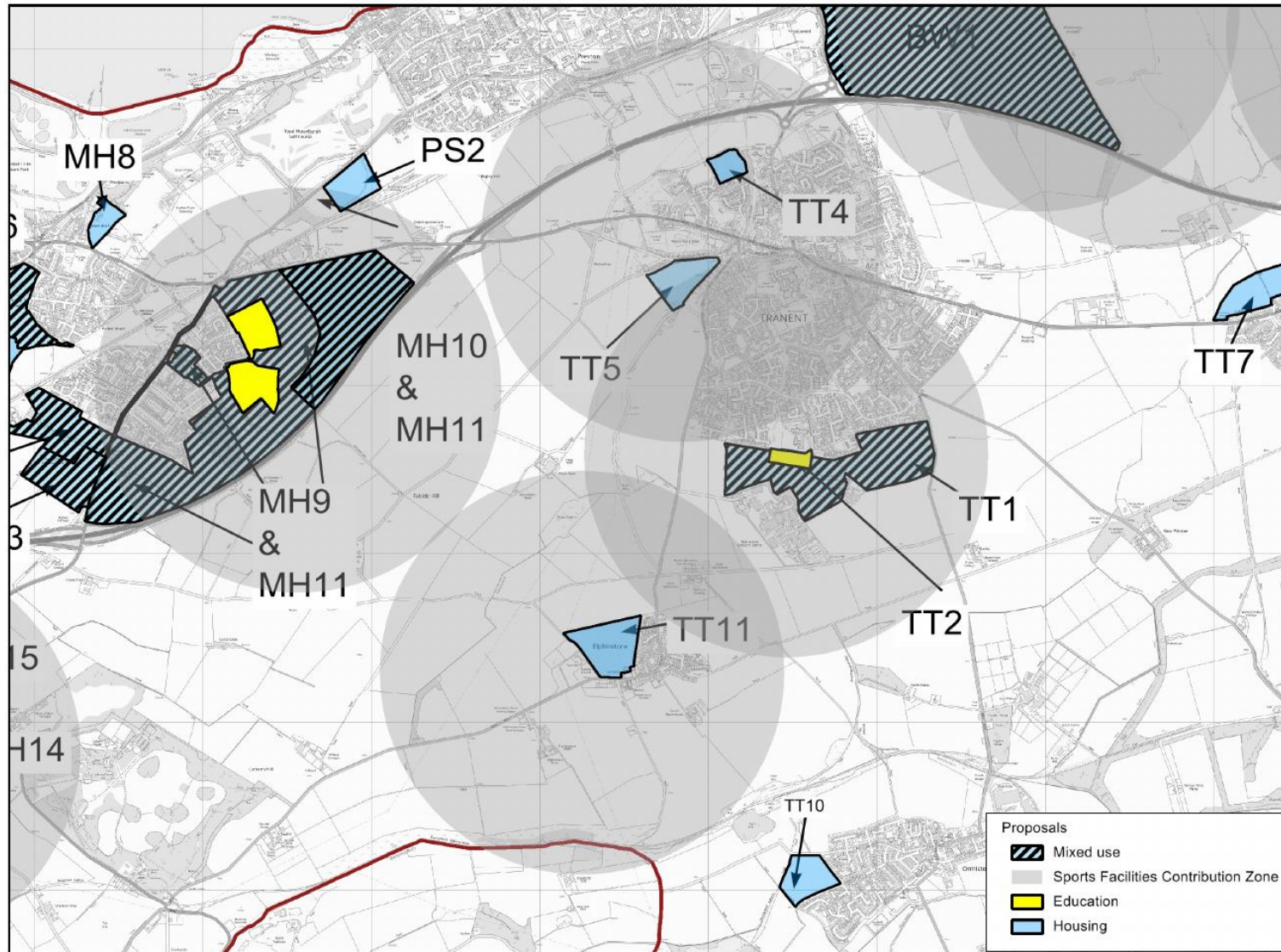
Proposed Prestonpans Sports Facilities Contribution Zone



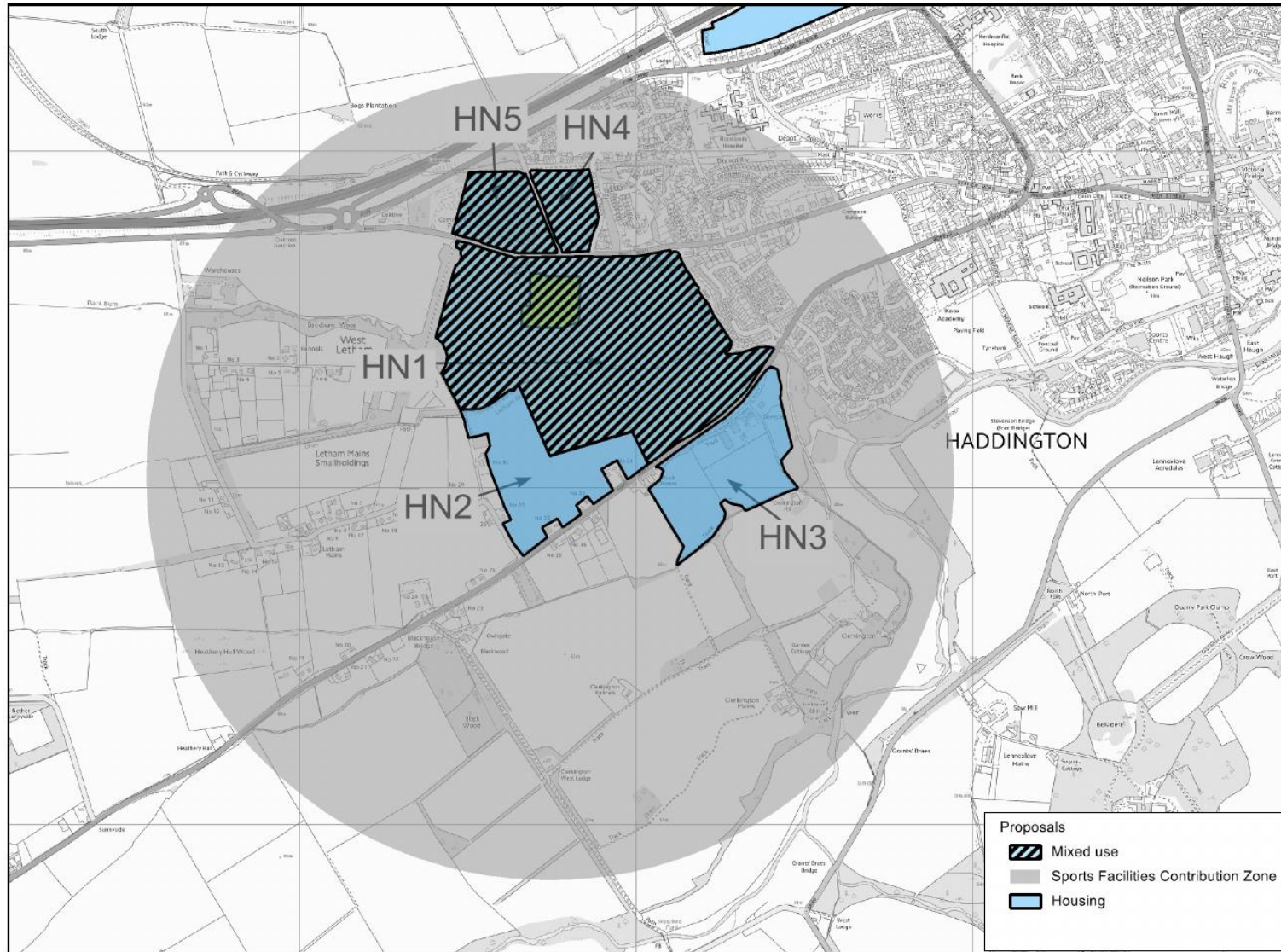
Proposed Blindwells Sports Facilities Contribution Zone



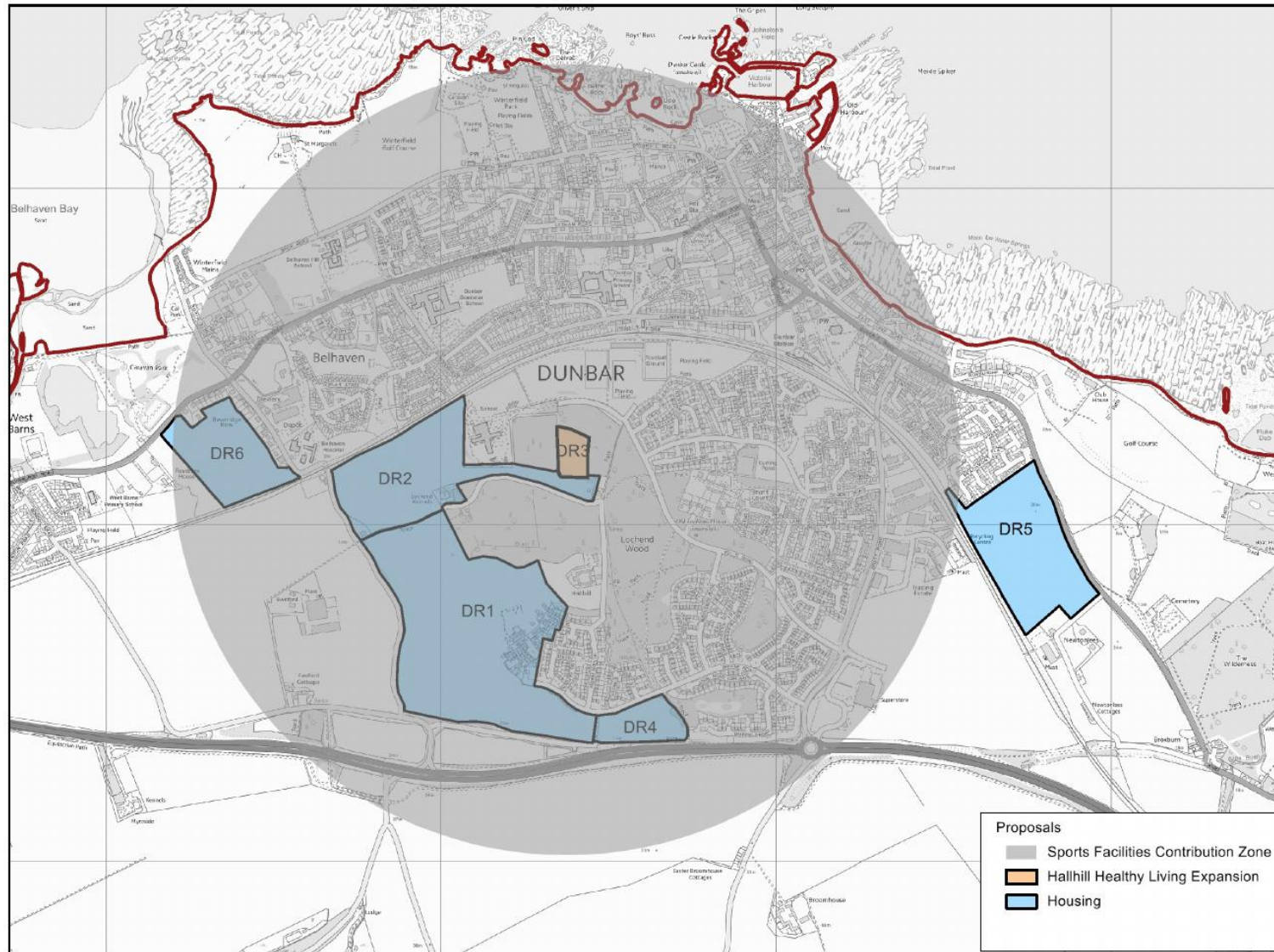
Proposed Tranent Sports Facilities Contribution Zone



Proposed Haddington Sports Facilities Contribution Zone



Proposed Dunbar Sports Facilities Contribution Zone



Proposed North Berwick Sports Facilities Contribution Zone





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Policy & Projects
Development
Partnerships and Services for Communities
East Lothian Council
John Muir House
Haddington
EH41 3HA

www.eastlothian.gov.uk/ldp
www.eastlothianconsultations.co.uk
ldp@eastlothian.gov.uk