

The Highland Council

Agenda Item	7
Report No	BSAC/23/25

Committee: Badenoch and Strathspey

Date: 3 November 2025

Report Title: Aviemore Primary School – Developer Contributions

Report By: Assistant Chief Executive - Place

1 Purpose/Executive Summary

- 1.1 This report provides an update to Members on the proposed approach for delivering the re-surfacing of the synthetic turf pitch at Aviemore Primary School.
- 1.2 The facility functions as the Aviemore Community Sport Hub and offers a high-quality sports surface that supports a range of local clubs and organisations. The existing synthetic surface provides a durable, year-round playing environment. It is specifically designed to withstand intensive use and adverse weather conditions, ensuring that sporting activities can continue uninterrupted throughout the year.
- 1.3 Members are asked to approve the recommendations below to enable continued progress towards the delivery of this community sports facility.

2 Recommendations

- 2.1 Members are asked to:-
 - i. **Note** there is £414,010.46 of developer contributions earmarked for delivery of Aviemore Primary School;
 - ii. **Note** that the Developer Contributions Board has already agreed to the sum of £131,726.91 through a Section 75 agreement, which permits this to be drawn down for pitch re-surfacing;
 - iii. **Agree** that the remaining sum of £282,283.55 can be drawn down for pitch re-surfacing — £220,415.55 through Section 69 (up-front payments) and £61,868.00 through a Section 75 agreement; and
 - iv. **Agree** that the expected further income of £31,198.00 from an outstanding invoice under a Section 75 agreement can be drawn down for pitch re-surfacing once payment is received.

3 Implications

3.1 **Resource** – The use of funds.

3.2 **Legal** – The requirement for developer contributions and what they may be used for is guided by Planning Circular 3/2012: Planning obligations and good neighbour agreements. This outlines the five legal tests that must be met when seeking contributions. Furthermore, any legal agreement and/or Report of Handling, will set a legal framework that will likely establish what contributions can be spent on. Any decision to re-purpose contributions needs careful consideration and be based on an understanding of their intended purpose.

3.3 **Risk** – Contributions that are not spent may be subject to clawback.

3.4 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – There are no implications.

3.5 **Gaelic** – There are no implications.

4 Impacts

4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.

4.3 Integrated Impact Assessment - Summary

4.3.1 An Integrated Impact Assessment screening has been undertaken on 3 October 2025. The conclusions have been subject to the relevant Manager Review and Approval.

4.3.2 The Screening process has concluded the following in terms of impact:-

This is a positive project that will deliver a high-quality, accessible outdoor facility for the whole community. It will support health, wellbeing, and inclusive participation across all age groups, while enhancing local infrastructure and promoting social connection.

Members are asked to consider the Integrated Impact Assessment summary in **Appendix 1** to support the decision-making process.

4.3.3

Impact Assessment Area	Conclusion of Screening & Assessment
Equality	- Children and Young People – <i>Positive - Improved access to safe, inclusive play and physical activity.</i> - Children affected by disability – <i>Positive - Enhanced accessibility and participation in outdoor learning.</i> - Older adults – <i>Positive - Potential for wider community use and intergenerational engagement.</i>
Socio-economic	<i>No impact</i>
Human Rights	<i>No impact</i>
Children's Rights and Well-being	<i>Positive - Supports health, wellbeing, and inclusive development through improved facilities.</i>
Island and Mainland Rural	<i>Positive - Investment in rural infrastructure promotes equity and community benefit.</i>
Climate Change	<i>No impact</i>
Data Rights	<i>No impact</i>

5 Background

- 5.1 This report forms part of the Council's revised approach to co-ordinating developer contributions for the delivery of services, facilities, and infrastructure required to support development. Many of these requirements are identified through the Development Plan and its associated Delivery Programme. In certain cases, it may be necessary to inform and seek direction from Committee on how developer contributions should be applied to mitigate the impacts of development and support essential infrastructure provision. However, it should be noted that any such decision needs to comply with Scottish Government legislation - [Planning Circular 3/2012: Planning obligations and good neighbour agreements](#) - which outlines the five policy tests for seeking developer contributions.
- 5.2 Sport and recreational facilities are recognised as essential components in creating vibrant, healthy, and sustainable communities. The Council's Development Plan outlines the need for such facilities to be delivered alongside new development, including sports facilities, sports pitches, play spaces, and public parks. These amenities contribute significantly to the communities. The [Developer Contributions Supplementary Guidance](#) (adopted November 2018) sets out financial requirements that support the provision of sports-related infrastructure. This includes contributions towards open space (green infrastructure), community facilities, and schools, many of which incorporate shared-use facilities that benefit the wider community.
- 5.3 The proposed re-surfacing of the synthetic turf pitch at Aviemore Primary School aligns with these principles, supporting both educational and community use, and ensuring continued access to high-quality sports provision.
- 5.4 To help plan for their delivery, the planning service is securing financial contributions from recent and emerging developments and is also carefully monitoring the ongoing financial position including forecasting of developer contributions from anticipated developments – based on the latest [Housing Land Audit](#).

6 Aviemore Primary School

- 6.1 Developer contributions were received from ten planning applications: 11/02684/FUL, 18/03295/FUL, 08/00170/FULBS, 16/02611/FUL, 21/01746/FUL, 19/04031/FUL, 21/04344/FUL, 23/00410/FUL, 21/04505/FUL, 21/04332/FUL. Of these, eight payments were secured through Section 69 (up-front payments), while the remaining two were collected via Section 75 legal agreements. Contributions were sought for Aviemore Primary School
- 6.2 Planning Application 08/00170/FULBS allows for contributions within the Section 75 to be spent on re-surfacing at Aviemore Primary School.
- 6.3 Developer contributions were initially sought for Aviemore Primary School to support a major extension or potential new build in 2020 and 2021. This was scaled back to a two-class extension in 2022. However, as pupil numbers continued to decline, the extension was deemed unnecessary. Consequently, developer contributions are no longer being pursued for Aviemore Primary School. The proposed pitch, however, would improve what the school has to offer.

Designation: Assistant Chief Executive - Place

Date: 2 October 2025

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Background Papers: None

Appendices: Appendix 1 – Integrated Impact Assessment