

## APPENDIX 1

### EXEMPTIONS

For proposals of 1-3 residential units, the exemptions for developer obligations and affordable housing are set out in the table below. Please note residential developments of 4 units and below within town centres are exempt from affordable housing on the basis of supporting their vitality and viability. Please direct any queries regarding exemptions for larger developments to [developerobligations@moray.gov.uk](mailto:developerobligations@moray.gov.uk).

	<b>Developer Obligations (PP3)</b>	<b>Affordable Housing (DP2)</b>	<b>Reason</b>
Extant planning consent	Exempt	Exempt	Developer obligations and Affordable Housing will not be sought where there is an extant consent regardless of development having commenced or not as the applicant may have purchased the plot and therefore the contributions cannot be reflected in the land value.
Extant planning consent that expires during determination period	Exempt	Exempt	Developer obligations and Affordable Housing will not be sought where there is an extant consent which will expire during the determination period regardless of development having commenced or not as the applicant may have purchased the plot and therefore the contributions cannot be reflected in the land value.
Expired planning consent with NID and development commenced on-site	Exempt	Exempt	Where development has commenced no contributions will be sought as the previous consent is 'live'. Given that a NID does not necessarily mean that development has commenced on site, DM condition compliance officer will check on-site and put a note on the case file to confirm whether development has commenced or not, and email the case officer and Developer Obligations when this has been done. If development has not commenced then developer obligations and AH will be sought.
Expired planning consent with NID and development not commenced on-site	Required	Required	See above.
Expired planning consent with no NID	Required	Required	Developer Obligations and AH will be sought as it will be assumed that development has not commenced. If the DM case officer notes that development has commenced when they visit the site then they are to inform Developer Obligations.

Expired planning consent with no NID and dev obs paid	Exempt	Required	Developer obligations have previously been paid for the application site.
AMC	Exempt	Exempt	Application relates to approval of conditions only.
Replacement House	Exempt	Exempt	No impact as this proposal is for a replacement rather than new house.
Residential Developments of 4 units and below in Town Centres	Exempt	Exempt	Supporting the vitality and viability of town centres.