

The background of the slide features a large, faint, light blue watermark of the Coat of Arms of the City of London. The crest includes a crown with four fleurs-de-lis, a shield divided into four quarters (top-left: a cross, top-right: a lion passant guardant, bottom-left: a ship, bottom-right: an eagle with wings spread), and a ribbon at the bottom with the motto 'ANNE FOR A'.

Agenda Item 11

**Land Surplus to Operational
Requirements - Vellore Rd, Maddiston**

Falkirk Council

Title: Land Surplus to Operational Requirements - Vellore Rd, Maddiston
Meeting: Executive
Date: 27 November 2018
Submitted By: Director of Development Services

1. Purpose of Report

- 1.1. This report seeks approval for the transfer of land at Vellore Road, Maddiston between the Council and a neighbouring landowner.

2. Recommendations

- 2.1. It is recommended that the Executive agrees:

(1) to declare the surplus land at Vellore Rd, Maddiston as surplus to operational requirements;

(2) that the Director of Development Services shall be authorised to agree terms and conclude the transaction for the disposal of the surplus land to the neighbouring landowner subject to the neighbouring landowner obtaining any necessary planning permission or consent; and

(3) that the Director of Development Services shall be authorised to agree terms and conclude the transaction for the acquisition from the neighbouring landowner of the acquisition land.

3. Background

- 3.1. This report seeks approval for:

- 212sqm of open ground at Vellore Road, Maddiston shown coloured red on the attached plan ('the surplus land') to be declared surplus to operational requirements.
- the disposal of the surplus land to the owner of land to the west of Stoneburn House, Vellore Road ('the neighbouring landowner') on a negotiated basis
- the acquisition, on a negotiated basis, of two areas of ground extending together to 422sqm and shown coloured blue on the attached plan ('the acquisition land') from the neighbouring landowner.

- 3.2 The sites involved in this transaction are located approximately twenty five metres east of the junction of Main Street and Vellore Road, Maddiston (where the war memorial sits). The surplus land forms part of a wider area of

public open space. The acquisition land is similarly part of the grassed open space. The two areas comprising the acquisition land have no defined boundaries, despite their private ownership.

- 3.3 Historically, the area has been subject to attempts to secure an additional dwellinghouse to the rear of the existing houses on Vellore Road. The larger site comprised in the acquisition land was granted planning consent for a house with access from Vellore Road in 1995 which was never implemented. A planning application for a house was refused on the same site in 2001.
- 3.4 There are no operational requirements to retain the surplus land. Its disposal will generate a capital receipt to support the Council's General Services Capital Programme. Purchasing the acquisition land will secure ownership of the open space as well as the land required, should it become necessary, to widen the Vellore Rd/Main St junction at a future date.

4.0 Considerations

- 4.1 In terms of the planning policy the surplus land and acquisition land are all identified as open space within the Falkirk Local Development Plan and lie within the Maddiston urban limit. They currently comprise part of an area of grassed amenity open space, with a network of footpaths linking to the surrounding residential area, however neither piece of land is affected by any public footpaths. The open space is used mainly for informal play and dog walking, and forms a pedestrian link between Cairneymount Avenue and Main Road.
- 4.2 The larger area forming part of the acquisition land is an integral part of the wider open space and it is considered appropriate for it to return to Council ownership, to be managed and maintained with the rest of the open space.
- 4.3 In conjunction with the neighbouring landowner's land to the east, the surplus land will allow the neighbouring landowner to assemble a larger area of ground adjacent to Vellore Road, suitable in size for a single house plot. This represents a more satisfactory house plot than the back land option offered by the larger blue site currently in the neighbouring landowner's ownership.
- 4.4 These proposals will result in an overall net decrease in the amount of public open space, given that the sites are all as yet undeveloped. However, it is considered that this loss of open space will not significantly impact the overall level of recreational amenity or function of the remaining open space. The acquisition by the Council will result in bringing an area of land unsuitable for development back into the control of the Council.
- 4.5 The acquisition of the smaller area of land comprised in the acquisition land will also allow for any required widening of Vellore Road at some future stage in association with possible improvements to the junction. The uncoloured cross hatched area will be retained in Council ownership. A servitude right of access may require to be granted to the neighbouring landowner over the whole or part of the area shown cross hatched on the plan to allow access in advance of any junction improvements.

5 Consultation

Local members have been consulted on the proposed disposal. Roads and Development and the Transport Planning Unit have also been consulted. No objections have been received.

6 Implications

Financial

- 6.1 The areas of land involved were valued independently by the District Valuer. Due to the differences in the respective values of the sites, the Council would, over the two transactions should they both be satisfactorily concluded, obtain a capital receipt in the region of £14,000 in addition to the ownership of the larger open space and the land which may be required for road widening. There may also be a compensatory payment for loss of open space secured via legal agreement associated with any approved planning consent.

Resources

- 6.3 None.

Legal

- 6.4 The disposal and acquisition transactions will be subject to conclusion of all necessary legal agreements and be subject to the neighbouring landowner gaining residential planning permission for a house.

Risk

- 6.5 Loss of a capital receipt and continuing to have an area of open ground not in control of Falkirk Council, surrounded by land owned mostly by Falkirk Council.

Equalities

- 6.6 Not required.

Sustainability/Environmental Impact

- 6.7 It is likely that this transaction will lead to the construction of a house with its associated environmental impact.

Conclusions

- 7.1 The surplus land is considered to be surplus to operational requirements. The acquisition of the acquisition land would result in a net benefit in terms of rationalising public open space and safeguarding land for the potential upgrading of Vellore Road in the future. If both transactions are completed, there would be a net gain for Falkirk Council in terms of the proposed areas of exchanged land, plus a capital receipt.

Director of Development Services

Author – Alexandra Lewis, Planning Officer (Development Planning) 01324 504738,
Alexandra.lewis@falkirk.gov.uk

Date: 12/11/2018

Appendices

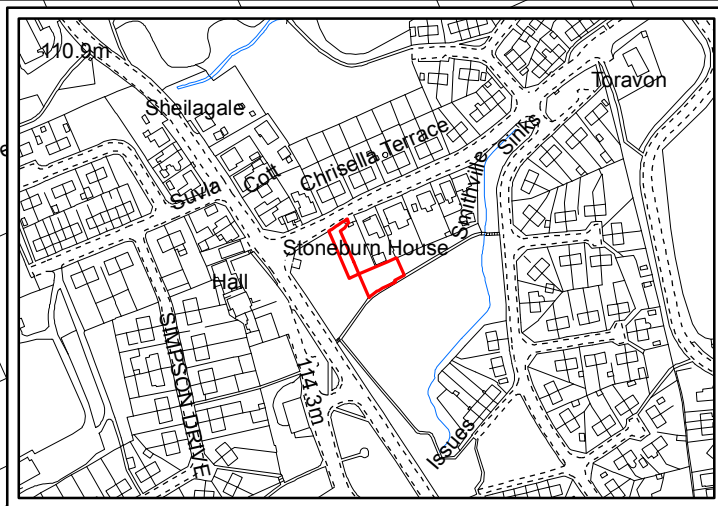
Appendix 1; Map showing location of asset surplus to operational requirements.

List of Background Papers:

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

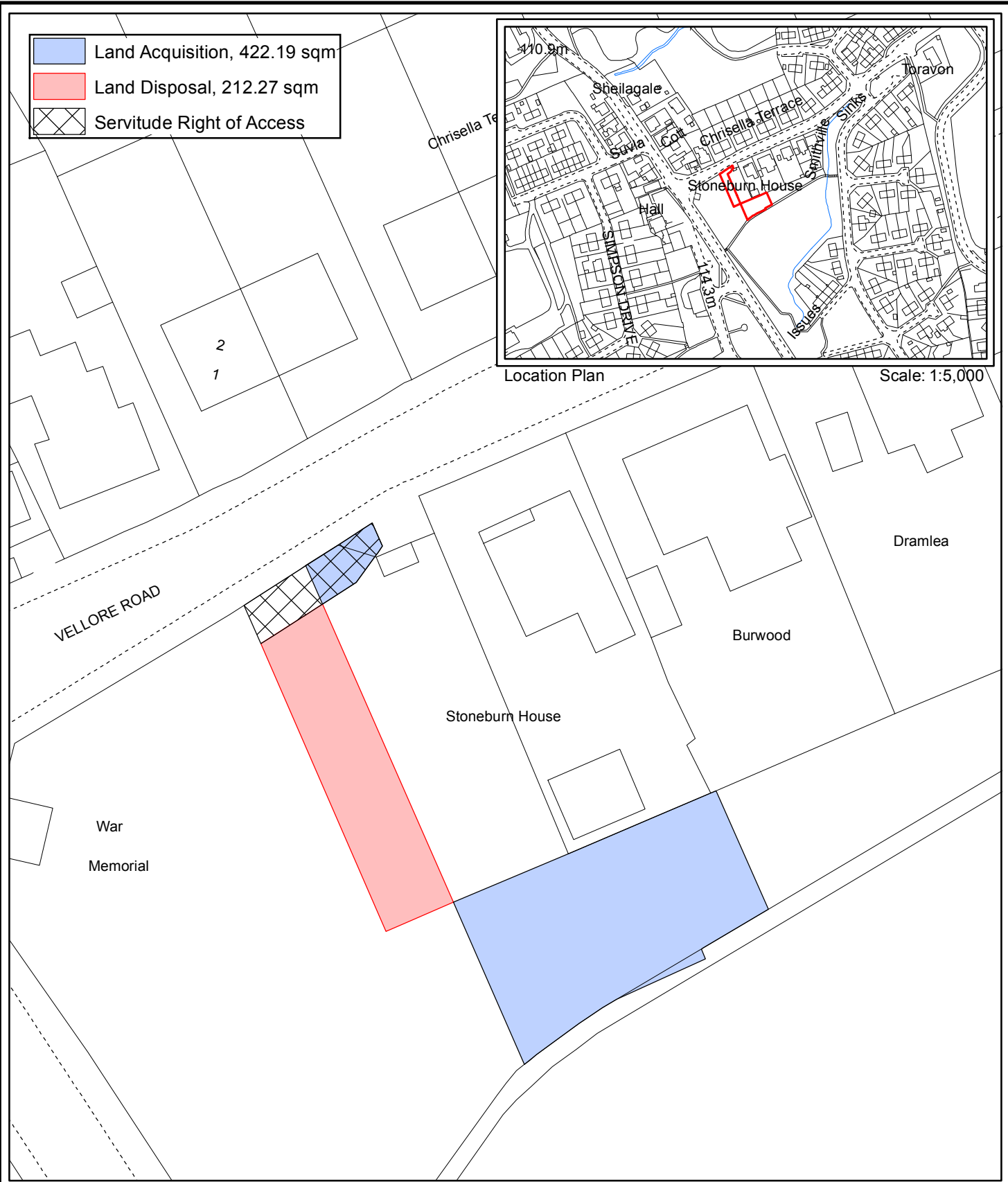
- Falkirk Local Development Plan 2015

- Land Acquisition, 422.19 sqm
- Land Disposal, 212.27 sqm
- Servitude Right of Access



Location Plan

Scale: 1:5,000



0 10 20 40 Meters



Falkirk Council

Development Services
Abbotsford House, Davids Loan, Bainsford, Falkirk, FK2 7YZ
Telephone: 01324 504950 Fax: 01324 504709

Scale: 1:500

Date: 4.7.2018



Subject

Land off Vellore Road, Maddiston

Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2018. All rights reserved.
Ordnance Survey Licence number 100023384