

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 9 OF PART 1 OF  
SCHEDULE 7A THE LOCAL GOVERNMENT ( SCOTLAND) ACT 1973

CLACKMANNANSHIRE COUNCIL

Report to Council : 19 June 2008

Subject: Proposed Sale of Public Open Space. Keilarsbrae, Sauchie.

Prepared by: Garry Dallas, Director of Development and Environmental  
Services

1.0 SUMMARY

- 1.1 It is proposed to sell 1.22 acres of public open space including a kick about area, to Mulraney Investments to provide additional residential development land and essential access to enable development of the former Todd's Yard site, Sauchie.
- 1.2 By combining both sites under a single ownership this will support development of a local eyesore and upgrade the amenity of the area consistent with the Council's approved Local Plan policy for the former industrial site.
- 1.3 A opinion of value provided by the District Valuer has determined a figure of £370,000 as being appropriate.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Council:
- 2.2 (a) Approve the sale of 1.22 acres of land at Keilarsbrae, Sauchie ( See Plan : Appendix 1 ) to Mulraney Investments at a price of £370,000, as determined by reference to the District Valuer.
- 2.3 (b) Allocate part of the proceeds of the sale (£85,000) for the provision of compensatory facilities in lieu of the existing playing pitch within the site. Final agreement on the proposed facilities shall be subject to further local consultation, as set out in paragraph 3.4, below.

3.0 BACKGROUND

- 3.1 The former builders yard at Keilarsbrae, Sauchie has lain derelict for a considerable time and is an eyesore in the immediate locality. It presents a potential danger to children.
- 3.2 The Todd's Yard site was acquired some years ago by Mulraney Investments who are seeking to develop it to provide serviced residential plots.

- 3.3 The approved local plan identifies the former industrial site as being suitable for such purposes and envisages access to the development site would be by means of the existing roadway which passes Keilarsbrae House.
- 3.4 The developer is however, of the opinion that use of the existing access road presents too many difficulties because of its narrow confines and the fact it is in multiple ownership. He has therefore approached the Council with a view to acquiring the Public Open Space which lies adjacent to it.
- 3.5 It is their intention to utilise this area to provide, not only an alternative access to the site but a further five house plots and a planning application to this effect was submitted to the Council in March 2005.

#### 4.0 PLANNING

- 4.1 The Local Plan identifies the former "Todd's Yard" Sauchie as Policy H36 (speculative new build housing).
- 4.2 A planning application (ref: 05/00095/FULL) was submitted by the owners in March 2005 for "the construction of an access road to serve housing development". The plans show potentially a 13 house plot layout of which 5 are on land presently owned by the Council.
- 4.3 The Regulatory Committee agreed on 10th January 2008 to approve the application subject to a condition that required the provision of compensatory recreational facilities to be provided in lieu of the existing pitch within the site.
- 4.4 Following initial consultation with Sauchie Community Group, Deerpark and Craighbank Primary Schools and local Members, a range of possible compensatory facilities have been identified. These include:
- Skateboard/BMX park in Fairfield Park.
  - MUGA (multi use games area) in Fairfield Park.
  - MUGA goal ends at Craighbank Primary School.
  - Play area improvements at Mansfield Avenue.
  - Play Area/MUGA improvements at Deerpark Primary School.

Further public local consultation is required in order to identify the most appropriate facilities that should be provided as compensation for those that would be lost as a result of the development of the site.

- 4.5 As the site is owned by the Council, the decision of the Council on the planning application required to be referred to the Scottish Government. In response, the Scottish Government has delayed consideration of the matter as they are concerned that the proposed arrangements are not precise enough to achieve the compensatory facilities, principally as they lie outwith the applicant's control. The developer is therefore dependant on the actions of the Council in terms of implementing the compensatory facilities, however the Scottish Government note that there was no costings of the replacement facilities and nothing binding the Council to make the provision.
- 4.6 The facilities have now been identified and costed and all lie in the Council's control. Should Council approve the recommendation, this will demonstrate to the Scottish

Government, a clear commitment to provide the facilities with funds taken from the sale of the land.

## **5.0 THE PROJECT**

- 5.1 It is proposed to sell 1.22 acres of public open space at Keilarsbrae Sauchie to Mulraney Investments for the purposes of constructing an access road to and facilitating a small residential development on the former Todd's Yard.
- 5.2 The price of £370,000 has been established by means of an independent valuation by the District Valuer. This figure represents the market value of the Council land for access and development purposes and reflects the "marriage value" attributable to redeveloping the Council land in conjunction with Todds Yard. It will be a condition reasonably of the sale that the purchasers must meet all planning criteria and any other conditions imposed by the Council.

## **6.0 CORPORATE PRIORITIES**

- 6.1 The project will meet the Council's Corporate Priorities by implementing a specific policy of the Local Plan.

## **7.0 CONCLUSIONS**

- 7.1 Mulraney Investments own the former Todd's Yard and if successful in their application to acquire the Council-owned land will assist in the removal of a local eyesore through the proposed development.

## **8.0 SUSTAINABILITY IMPLICATIONS**

- 8.1 The demolition, clearance and redevelopment of former industrial buildings and yard will remove a local eyesore and enhance the amenity of the area.

## **9.0 FINANCIAL IMPLICATIONS**

- 9.1 The project will produce a capital receipt to the Council of £370,000, albeit offset in part by the requirement to fund compensatory recreational facilities elsewhere in Sauchie at a cost of some £85,000.

## **10.0 DECLARATIONS**

- (1) The recommendations contained within this report support or implement Corporate Priorities, Council Policies and/or the Community Plan:

- **Corporate Priorities (Key Themes)**

Achieving Potential  
Maximising Quality of Life  
Securing Prosperity  
Enhancing the Environment  
Maintaining an Effective Organisation

☐  
☐  
☐  
☒  
☐

- **Community Plan (Themes)**

Community Safety	<input type="checkbox"/>
Economic Development	<input type="checkbox"/>
Environment and Sustainability	<input checked="" type="checkbox"/>
Health Improvement	<input type="checkbox"/>

- (2) In adopting the recommendations contained in this report, the Council is acting within its legal powers. ☒
- (3) The full financial implications of the recommendations contained in this report are set out in the report. This includes a reference to full life cycle costs where appropriate. ☒




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Director

The Council agreed at its Special Council meeting on 19th June 2008 to take this item in public.

**Report to Council**

To accompany all Reports to Council

To: Head of Administration And Legal Services

Author: Garry Dallas

Date: 29 May 2008

Service: Property Services

Date of Meeting: 19 June 2008

Title of Report: Proposed Sale of Public Open Space,  
Keilarsbrae, Sauchie

Recommendation that the attached report be:

1. Given unrestricted circulation

<input type="checkbox"/>
<input checked="" type="checkbox"/>

(tick appropriate box)

2. Taken in private

By virtue of paragraph \_\_\_\_ of schedule 7A, Local Government (Scotland) Act 1973.

Appendices attached to this report (if none, state "none")

1. Location Plan

2.

3.

4.

List of Background Papers (if none, state "none")

1. Report to Regulatory Committee of 10<sup>th</sup> January 2008 on planning applications ref:  
05/00095/FULL

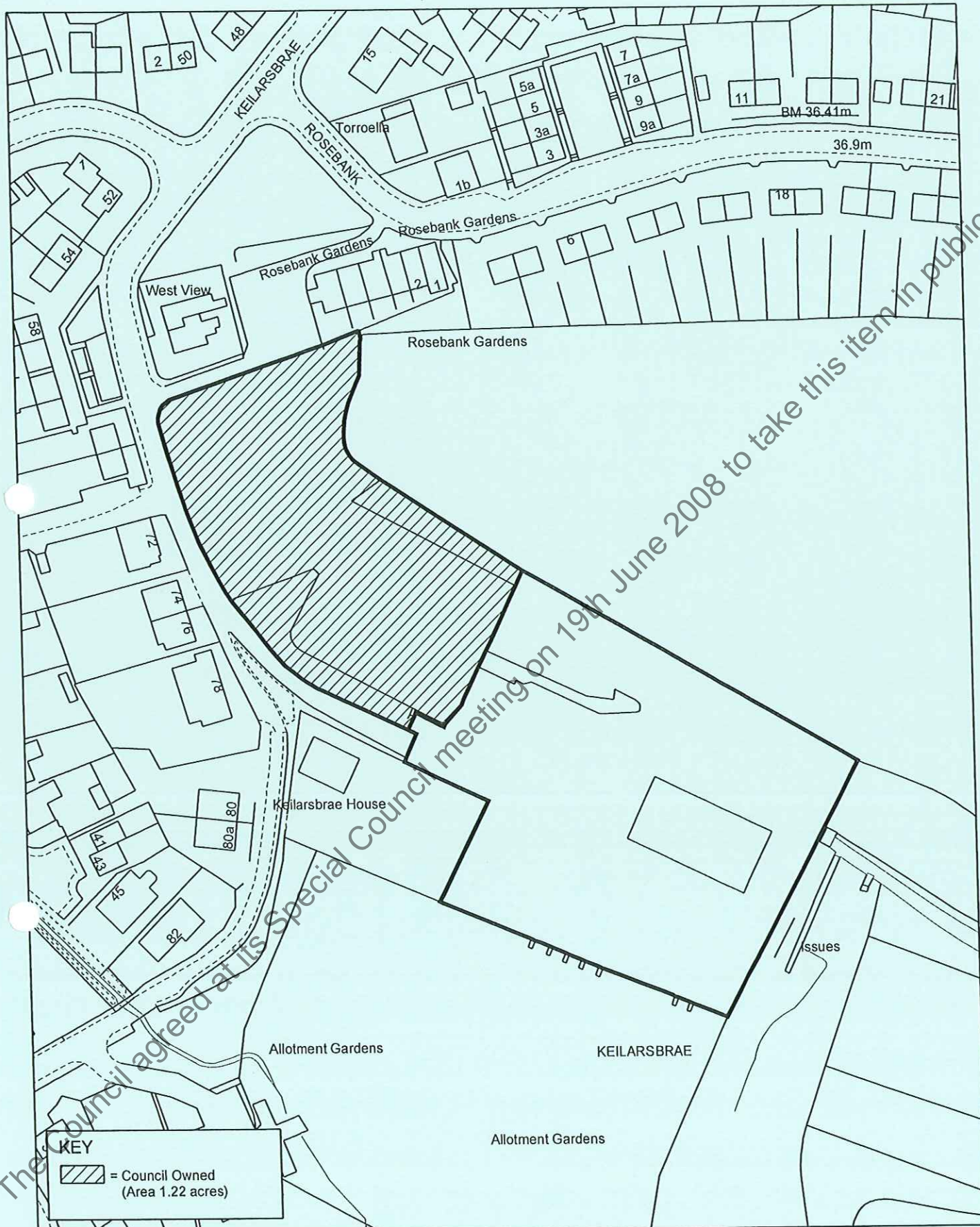
2.

3.

4.

Note: All documents specified must be kept available by the author for public inspection for four years from the date of the meeting at which the report is considered.

The Council agreed at its Special Council meeting on 19th June 2008 to take this item in public.



Clackmannanshire Council  
 Development & Environmental Services  
 Kilncraigs  
 Greenside Street  
 Alloa, FK10 1EB  
 Tel : 01259 450000  
 Fax : 01259 727452

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