

	<h1>Report</h1>	Agenda Item <h1>12</h1>
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Report to:	Planning Committee
Date of Meeting:	26 January 2010
Report by:	Executive Director (Enterprise Resources)

Subject:	Erection of 44 flatted dwellings with associated roadway, parking and landscaping at Lanark Road, Braidwood (Planning Consent CL/08/0078)
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1. Purpose of Report

1.1 The purpose of the report is to:-

- Seek approval for the Council to enter into a Section 75 Agreement with the applicant Braidwood Developments to require the submission of a financial contribution in respect of upgrading recreational provision in the area; and the submission of a roads bond in association with the construction of a roundabout on Lanark Road prior to work starting on site.

2. Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) that authorisation is given for officers to conclude a Section 75 Agreement to ensure the phased submission of a financial contribution for upgrading recreational provision in the area; and the submission of a roads bond in association with the construction of a roundabout on Lanark Road prior to work starting on site.

3. Background

3.1 Members will recall that the Planning Committee agreed at its meeting on 8 July 2008 to grant detailed planning permission to Braidwood Developments for the erection of 44 flatted dwellings with associated roadway, parking, landscaping and formation of roundabout at Lanark Road, Braidwood. Committee agreed to withhold the planning consent until the applicants had lodged a financial contribution of £19,800 for the upgrading of recreational provision in the area, together with a roads bond for the construction of a roundabout on Lanark Road.

3.2 The applicants have subsequently advised that due to the current downturn in the housing market, they are unwilling to provide the £19,800 contribution 'up-front'. They have therefore requested that the Council consider phasing the payment of the contributions through a Section 75 Agreement, suggesting that the payment of the financial contribution be made following the completion of the 14th flat. They also seek the agreement to allow the roads bond to be submitted before any work starts on the site.

3.3 In the circumstances I am satisfied that the Section 75 Agreement will provide comfort that the payment and bond will be made and therefore request that Committee give authorisation for officers to negotiate with the applicants.

4. Employee Implications

4.1. None.

5. Financial Implications

5.1. None. The applicants will be expected to meet the legal expenses of the Council.

6. Other Implications

6.1. None

7. Equality Impact Assessment and Consultation Arrangements

7.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.

Colin McDowall

Executive Director (Enterprise Resources)

18 January 2010

Link(s) to Council Objectives/Values

- Improve the quality of the physical environment
- Improve the quality, access and availability of housing

Previous References

- Report to Planning Committee on 8 July 2008 on planning application ref no CL/08/0078

List of Background Papers

- Planning Application Report on CL/08/0078

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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CL/08/0078

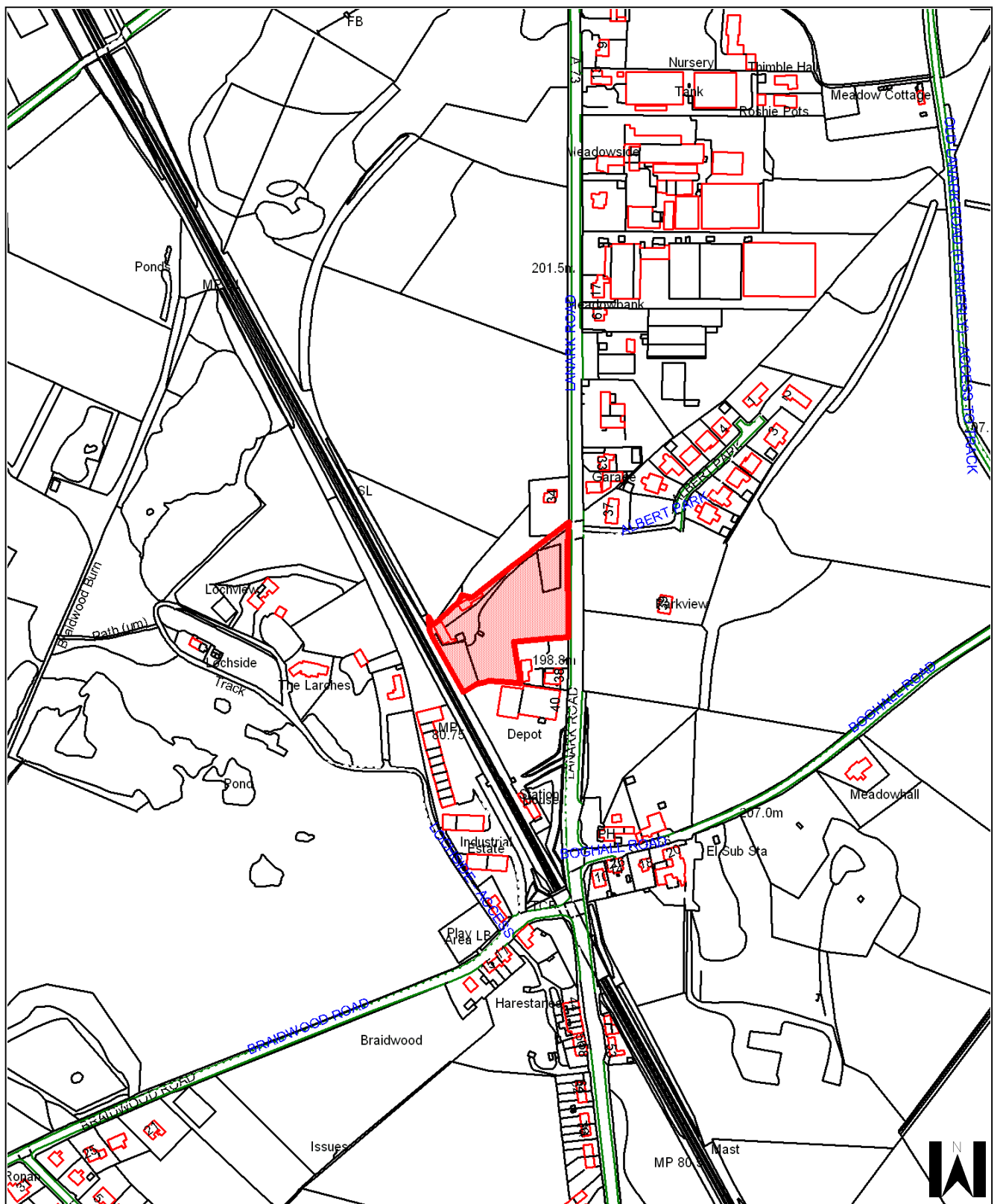
Lanark Road, Braidwood

Planning and Building Standards Services

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