

REFERENCE : P/12/796/FUL

PROPOSAL : RESIDENTIAL DEVELOPMENT OF 94 DWELLINGS & OUTLINE APPLICATION FOR INDUSTRIAL / COMMERCIAL USE ON 2.23 HA.

LOCATION : LAND AT TY DRAW FARM PYLE BRIDGEND

Planning permission for the mixed use development of land at Ty Draw Farm was granted on 22 January 2014 subject to a Section 106 agreement which required, amongst other things, that the developer create a plateau on the northern part of the site to facilitate its development for commercial / industrial use in accordance with a scheme and method statement to be submitted to and approved by the Local Planning Authority no later than 2 years from the date of the occupation of the first dwelling on the site.

The proposal was submitted as a 'hybrid' application, with full planning consent granted for the residential part of the site and outline consent granted for the commercial / industrial part to the north. An access off the main estate road will be provided to the plateau to enable a future developer to come onto the site and complete the commercial / industrial development on that part of the site as part of an approved reserved matters application.

The Planning Department has received a request to revise the date for receipt of a re-profiling scheme from 2 years to 3 years from the date of the occupation of the first dwelling on site. Persimmon Homes who have partnered with the site owner, South Wales Land Developments, to deliver the residential housing have confirmed that the first dwelling on the site was occupied on 30th June 2014.

South Wales Land Developments have been marketing the site since the granting of consent, and the overwhelming response from potential employment generating occupiers is that, in order to make the site more attractive to them, more work than originally envisaged may be required to provide a roadside frontage to aid visibility in addition to the levelling of the site. This is likely to include the removal of a 4m high roadside embankment and potential thinning of some of the trees fronting the site, which are both located on land owned by BCBC. Consideration of the acceptability of any engineering work required in this regard would be subject to a separate planning application.

The request to extend the timescale for submission of the re-profiling scheme has been made in order to provide additional time to fully understand the work required in consultation with interested commercial parties.

It is considered that such an extension is justified on the basis of the active marketing undertaken by the owner and the need to ensure that the right scheme for the site is submitted. It will however be necessary to formalise the matter via a deed of variation to the Section 106 Agreement and it is recommended that the Council's Solicitor be instructed to prepare the deed of variation. All other obligations will remain as agreed.

Recommendation

The request to vary the S106 Agreement through a Deed of Variation be approved.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None