

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 4 SEPTEMBER 2014

REPORT OF THE DIRECTOR OF DEVELOPMENT SERVICES

**MATTER WHICH THE CHAIRMAN HAS DECIDED IS URGENT  
BY REASON OF THE NEED TO MAKE A DECISION PRIOR TO THE NEXT  
COMMITTEE**

4. APPEALS

**2013/00745/OUT** Received on 6 August 2013

United Welsh Housing Association Ltd and Charles C  
Geraint John Planning Ltd., Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

**Land South of Primrose Hill, Cowbridge**

Residential development comprised of 60% affordable housing and 40% open market family housing, and associated works, including strategic access point.

Background

Members will be aware that a stance report was presented to Planning Committee on 13 February, 2014 in relation to the above referenced planning application.

The report considered the proposal and recommended a number of reasons for refusal of the application that would have resulted in the event of the Council's determination of the application, had the appeal not been submitted.

Whilst authorisation was sought for your officers to defend the appeal on the reasons for refusal set out within that report, authorisation was not sought for officers to negotiate and sign a Legal Agreement, if the Appeal is allowed, in order to secure the necessary S106 Planning Obligations.

The Public Inquiry will take place between 23 and 26 September 2014.

Report

The proposed S106 Planning Obligations set out within the stance report remain the same (except for the education contributions which have been revised).

Dwr Cymru Welsh Water has confirmed, following a feasibility study commissioned in respect of the Cowbridge Welsh Water Treatment Works, that a solution is available to the developer to fund works the Treatment Works to overcome their concerns. This would form a further financial obligation within the S106 Legal Agreement.

Authorisation is sought for Officers to negotiate and subject to the views of the Planning Inspector, agree as far as possible, the obligations summarised below in the event that the Appeal is allowed.

- Affordable Housing – Provide a minimum of 60% on site to equate to provide 24 intermediate and 24 social rented units.
- Education – to provide a contribution of £797,252.84.
- Sustainable Transport – to provide a contribution of £158,000.
- Public Open Space – to provide sufficient open space on-site and / or to provide a financial contribution in lieu of on site provision.
- Community Facilities – to provide a contribution of £78,091.50.
- Public Art – to provide 1% of the project budget for the commissioning of public art.
- Offsite Drainage – to pay Dwr Cymru Welsh Water the necessary sums in order that Dwr Cymru Welsh Water can undertake the necessary improvements to the Cowbridge Welsh Water Treatment Works.

### RECOMMENDATIONS

- (1) That the revised revised proposed planning obligations be noted.
- (2) That Officers be authorised to negotiate, and subject to confirmation by the Planning Inspector, seek to agree and sign a Legal Agreement which shall as far as possible include the above set out planning obligations (in accordance with the adopted SPG) if the Appeal is allowed.

### Reasons for Recommendations

- (1) For information.
- (2) In order to ensure any potential negative effect caused by the development if the Appeal were to be allowed are mitigated through a suitable Legal Agreement.

Background Papers

Application ref: 2013/00745/OUT

Contact Officer – Steve Butler, Tel. 01446 704624

Officers Consulted

All relevant officers have been consulted on the contents of this report.

ROB THOMAS  
DIRECTOR OF DEVELOPMENT SERVICES