

PREFACE ITEM

APPLICATION NO. 17/0270/OUT

APPLICANT(S) NAME: Persimmon Homes East Wales

PROPOSAL: Erect residential development of up to 175 units including open space provision, access and parking arrangements and to approve the matters of access and scale

LOCATION: Land At Oakdale Golf Course Oakdale Golf Course Lane Oakdale Blackwood

This application was reported to Planning Committee on 14th June with a recommendation that permission should be granted a copy of the previous report is attached. The Committee deferred the application to enable an appeal that was in progress to be determined. At the time the application was reported to that Committee it was assumed that a decision would be received in time for the next Committee. This application will still require the issue of a decision notice at some point in time, therefore it is necessary to determine as to how that decision should be issued. At the time of preparation of this item an email has been received from Welsh Government explaining that the Ministers have only just received the Inspector's report and the indicative target for determining the appeal is now 12th September 2017. This date is clearly well beyond the current Committee. Members will recall the advice of the Legal Officer at the previous Committee which was that there did not appear to be any legal impediment to deferring the determination until the appeal has been determined. The Officer gave that advice on the basis that the appeal decision was expected before this Committee.

A delay would further expose this application to an appeal against non-determination, the deadline for which has already passed in June of this year. Given that this application presents no further information or a proposal that is different to that of the appeal proposal it is therefore considered by officers that it would be reasonable to await the appeal decision, although members should be advised that officers cannot be certain that the applicant will not appeal against the current failure to determine this application and thus subsequently make a claim for costs on the basis of unreasonableness.

The recommendation below is therefore that officers be authorised to further defer the determination of this application until the appeal decision is received.

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Application No. 17/0270/OUT Continued.

RECOMMENDATION - that the determination of this application is deferred until the appeal decision is received and on the basis of the latest letter from Welsh Government it is expected that the application will be reported back to Committee on 13 September 2017.