

From: Sioned Wyn Davies
To: Simon Greenland
Date: 13/07/2010 15:30
Subject: Re: Section 106 agreement Maesyllan farm, Ruabon SWT/JP/10000128

Simon

I have considered the planning history for this site and would make the following observations:-

1. A section 106 agreement was entered into prior to the issue of the reserved matters approval (P/2008/0509) as set out in your email below.
2. A further planning permission was granted under P/2009/0890 for the substitution of 4 dwellings in place of 3 and 2 garages in place of 1 as approved in the above scheme. I presume that the intention was that the original section 106 agreement would apply to this revised development, however in order to ensure that was the case a further section 106 agreement should have been completed in connection with this permission particularly as the location plan for the site is identical to the land bound by the original agreement.
4. The land the subject of the current application overlaps with the land bound by the section 106 obligations and clearly the substance of this application means that the development originally envisaged will not proceed. Assuming that there will be section 106 obligations required to make this development acceptable I confirm that a further agreement will be required prior to the grant of permission. The precise detail of that obligation will need to be considered in due course and may require confirmation of the original agreement in certain respects to ensure that all obligations are satisfied one way or another.

It may be helpful to meet to discuss prior to submission to Planning Committee for approval.

Sioned

>>> Simon Greenland 25/06/2010 16:56 >>>

Reserved matters application P/2008/0509 for Conversion of redundant barns to 4 dwellings and erection of 12 dwellings was granted on 20/2/2009 subject to a section 106 agreement. The agreement secured a schools contribution of £66,000 and a public open space contribution of £8000, and was dealt with by Peter Noble of Geldards.

An amendment to plots 14-16 was granted in February 2010 (P/2009/0980).

An application has now been received for the erection of 4 semi-detached houses, to replace the barn (which has been found to be not suitable for conversion) P/2010/0505.

Please advise if a new (or amended) legal agreement will be required if permission is contemplated.

Thanks

Simon Greenland
Planning Officer
Wrexham County Borough Council
Lambpit Street
Wrexham LL11 1AR
01978 292509