

PLANNING COMMITTEE

16th JUNE 2015

REPORT OF THE HEAD OF PLANNING – N. PEARCE

Chairman's Urgent Item

Update Report : East Pit and Margam Open Cast Coal Sites

The following is an urgent item allowed at the discretion of the Chairman pursuant to Section 100B(4)(b) of the Local Government Act 1972.

Reason for Urgent Item

The reason for the report being tabled as an Urgent Item is due to the need to ensure Members are fully aware of the current status at the above sites.

Report

Margam Open Cast Coal Site

Members will recall that a report was placed before this Committee in November 2014 outlining the current position regarding Margam Open Cast Coal Site and identifying a number of potential next steps. Members of the Committee resolved to pursue negotiations with the former operator (Celtic) and the owners of the site (Oak Regeneration) with a view to securing an acceptable form of restoration of the site. Should these discussions fail then Members resolved that appropriate enforcement action be pursued.

Since that resolution was made, discussions have taken place with the former operator and current owner with officers from both this Authority and Bridgend being in attendance. It has been agreed that a working group will be established which will comprise of the following:

- Relevant officer(s) and one Elected Member from Neath Port Talbot
- Relevant officer(s) and one Elected Member from Bridgend
- Representative(s) from Celtic Energy

- Representative(s) from Oak Regeneration
- Up to four representatives from the local community
- Representatives as and when required from other regulatory organisations

The group will be tasked with identifying an alternative restoration scheme for the site having regard to the sums available within the escrow account and potentially seek additional sources of funding to supplement that fund.

Work will commence to establish this group within the next few weeks.

East Pit Open Cast Coal Site

Members will be aware that a planning application seeking consent for the regularisation of works undertaken on the site since December 2012, together with an amended restoration scheme, an extension to the area of coaling and a tourism led regeneration scheme was considered by this Committee on the 28th April 2015 where the following resolution was made:

“To grant planning permission subject to a number of conditions and upon the signing of a S106 legal agreement. This permission to be issued only in the event the Welsh Government withdraws the Article 18 holding direction issued on the 27th April 2015. “

The holding direction effectively allowed the Council to continue to assess and consider the application but prevented the issuing of a decision until such time as the Holding Direction was lifted.

Written confirmation was received from the Welsh Government on the 2nd June 2015 that they were not intending to ‘call in’ the application and as such they lifted the Holding Direction. As a consequence the Council, once satisfied that an acceptable Section 106 agreement has been secured and signed by all interested parties, is able to determine the application and issue the planning permission in accordance with the resolution of the Planning Committee.

Detailed discussions have taken place since the Committee meeting in April to secure an acceptable S106 agreement. It is anticipated that the legal agreement will be signed shortly, immediately following which the planning permission will be issued.

Recommendation

That the contents of this report are noted.