

CABINET MEETING: 15 FEBRUARY 2018

LAND ADJACENT TO JUNCTION 30 OF THE M4

**INVESTMENT & DEVELOPMENT (COUNCILLOR RUSSELL
GOODWAY)**

AGENDA ITEM:10

DIRECTOR OF ECONOMIC DEVELOPMENT

Appendices 3 and 4 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 of part 4 and paragraph 21 of part 5 of Schedule 12A of the Local Government Act 1972.

Reason for this Report

1. To obtain Cabinet agreement for the acquisition of land adjacent to Junction 30 of the M4, currently occupied by the Dutch Garden Centre, in order to secure an important strategic site.

Background

2. The site is located directly adjacent to Junction 30 of the M4 and consists of circa 8 acres, shown edged red on the plan attached at Appendix 1. The current owner has marketed the site for sale (Appendix 2) and has agreed to dispose of the site to the Council. A report from the Council's commercial valuer supporting the Council's acquisition of the site is attached as Confidential Appendix 3.
3. Although the site resides in an area designated as 'Green Wedge' in the Local Development Plan 2006 - 2026, the site is occupied by existing uses and a variety of different buildings, structures, storage areas, hard and soft surfaces and therefore may have potential to accommodate appropriate development, subject to planning permission.

Issues

4. The Council is seeking to acquire a strategic site in north Cardiff to future proof the provision of a number of key Council services as the city's population continues to grow through the development of the strategic housing sites in north Cardiff. The scale of this site offers potential, subject to planning permission to provide for a number of potential Council uses but especially a new Additional Learning Needs (ALN) / Special Learning Needs (SEN) school facilities in the city which would benefit from

direct motorway access due to the wide catchment area served by such schools including the provision of out-of-county placements. Other potential uses, all subject to appropriate planning consent, could include: an additional strategic Park & Ride facility to assist the alleviation of commuter congestion and improve traffic management associated with major events; an expansion of the city's cemetery facilities; infrastructure to meet the city's potential and future waste management requirements, as well as some potential commercial opportunities.

5. In addition to the potential provision of additional services, the Council requires flexibility to relocate existing services as it seeks to dispose of a number of land assets within the city to secure capital receipts to support the delivery of the new Band B schools programme and Capital programme more generally. The scale and strategic location of this site offers the Council potential flexibility to manage its estate including the potential provision of temporary solutions.
6. Although the site is allocated as Green Wedge in the extant Cardiff Local Development Plan, redevelopment of the site could significantly improve the visual amenity and environment of the site and could help to better reflect its designation as Green Wedge.
7. The Green Wedge designation along with other policies and guidance will provide a significant constraint over what is likely to be permissible in terms of any future development of the site. Whilst the site contains existing uses, it cannot be assumed that development will automatically be permissible. Planning advice on the current status of the site is provided in confidential Appendix 4.
8. However, the designation of the area as Green Wedge, rather than Green Belt, is significant in that it allows the status of the area to be reviewed every time the Local Development Plan is reviewed. The statutory review of the Local Development Plan must be undertaken four years after the plan was adopted in January 2016.

Reasons for Recommendation

9. To seek approval for the acquisition of a key strategic site in Cardiff.

Financial Implications

10. There are a number of schemes in the proposed capital programme between 2018/19 and 2022/23 that need to consider alternative sites for future service delivery. Subject to acceptance of the Council's offer, acquisition of the site would need to be managed within existing budgets allocated for those schemes. This includes proposals as part of the Council's 21st Century Schools Band B initiative funded by the Council and WG, subject to approval of individual business cases. The financial implications attached to the provision of future services will be considered in subsequent reports to Cabinet where required and will be subject to appropriate planning consent. This will also need to consider

the value added tax implications of the agreed use for the site for which the seller has not elected to tax.

11. The appendices set out the costs of acquisition and include additional costs for stamp duty and associated costs of securing the site until a future use is determined. The commercial terms in Appendix 2 are supported by an independent valuation and the offer made considers the wider strategic benefits of securing the site. The seller has not elected to tax or not opted to tax”
12. The Council will need to consider the proposed short term uses of the site in terms of security, management and maintenance. Any additional costs revenue costs will need to managed within existing revenue budgets of Strategic estates and 21st Century Schools in the short term.

Legal Implications

13. The Council has power to acquire land for the benefit improvement or development of its area pursuant to section 120 of the Local Government Act 1972. The Council’s Procedure Rules for the Acquisition of Land require the advice of a professional valuer to be taken. The Council also has economic, social and environmental well-being powers in relation to matters contained within its community plan and subject to value for money being achieved.

RECOMMENDATION

Cabinet is recommended to agree to the purchase of the site adjacent to Junction 30 of the M4 as outlined at Appendix 1.

NEIL HANRATTY

Director of Economic Development

9 February 2018

The following appendices are attached:

Appendix 1 – Plan

Appendix 2 – Sales Particulars

Confidential Appendix 3 – Valuation Report

Confidential Appendix 4 – Planning Status