



Ein cyf/Our ref: zA1379995
Mr Paul Williams
Savills (UK) Limited
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31 January 2017

Dear Mr Williams

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY LAND MATTERS LIMITED
RESIDENTIAL DEVELOPMENT ON LAND NORTH OF PANDY ROAD, PANDY ROAD,
BEDWAS, CAERPHILLY.
APPEAL REFERENCE: APP/K6920/A/15/3136679**

1. Consideration has been given to the report of the Inspector, Vicki Hirst BA (Hons) PG Dip TP MA MRTPI, who held an Inquiry into your client's appeal against Caerphilly County Borough Council's refusal of outline planning application 15/0038/OUT for "Residential development with associated public open space, landscaping and highways infrastructure including a new highways access from Pandy Road and footpaths; and requiring: the installation of new services and infrastructure and other ancillary works and activities" on "Land North of Pandy Road, Pandy Road, Bedwas, Caerphilly".
2. On 23 November 2015, in accordance with section 79 and paragraph 3(1) of Schedule 6 to the Town and Country Planning Act 1990 ("the 1990 Act"), the appeal was recovered for determination by the Welsh Ministers as the proposal relates to residential development of more than 150 houses on more than 6 hectares of land. Under the provisions of the Government of Wales Act 2006 the power to determine applications under section 79 of the 1990 Act has been transferred to the Welsh Ministers, these functions have been exercised by me as Cabinet Secretary for Environment and Rural Affairs.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

3. In exercising their functions, as part of carrying out Sustainable Development in accordance with the Well-being of Future Generations Act (“the FG Act 2015”), section 2 of the Planning (Wales) Act 2015 requires the Welsh Ministers, as a public body, to ensure the development and use of land contributes towards improving the economic, social, environmental and cultural well-being of Wales. In order to act in this manner, the Welsh Ministers have taken into account the ways of working set out in section 4 of ‘SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the Future Generations Act 2015’ through examination of the appeal by way of Inquiry in accordance with The Town and Country Planning (Inquiries Procedure) (Wales) Rules 2003.
4. The Inspector held an Inquiry on 12 – 15 and 19 April 2016. A site visit was made on 15 April 2016. The Inspector recommends the appeal is allowed and planning permission granted subject to conditions. A copy of the Inspector’s report is enclosed.
5. I wrote to you on 12 September 2016 to advise I am minded to accept the Inspector’s recommendation. However, before a grant of planning permission could be considered, a number of issues arising from the legal agreement, entered into under section 106 of the Town and Country Planning Act 1990, needed to be addressed.
6. You responded with a revised Section 106 agreement (S106), dated 4 January 2017. I am satisfied it addresses the issues set out in my letter of 12 September. I note the S106 includes an amended obligation to secure a financial contribution towards a speed limit change on Pandy Road. I am satisfied the speed limit change is shown on the Transport Assessment’s indicative access plans, submitted at the Inquiry. I note the Inspector, at paragraph 200 of her report, refers to the indicative access plans when concluding an appropriate means of access with acceptable forward visibility would be achieved from/onto Pandy Road.
7. I am satisfied the revised S106 meets the appropriate tests in Circular 13/97 and Regulation 122(2) of the Community Infrastructure Regulations 2010 and should be given weight in determining this appeal.
8. I have given due regard to representations submitted after the “minded to allow” letter was issued. However, I do not consider any new evidence or new matter of fact has been raised which would materially affect my decision to allow the appeal.
9. Edition 9 of Planning Policy Wales (PPW) was issued in November. However, the new edition of PPW does not introduce any new matters which would materially affect my conclusions on this appeal.
10. On 11 October 2016 Caerphilly Council resolved to formally withdraw the Replacement Caerphilly County Borough Local Development Plan (Replacement LDP). The Replacement LDP therefore has no weight in the determination of this appeal. This has no impact on the Inspector’s conclusions on the appeal or the considerations in my “minded to allow” letter as the Inspector and the main parties agreed the Replacement LDP should be given limited weight in determining the appeal. The Inspector also considered the adopted LDP to be the relevant development plan for the purposes of determining the appeal.

Main Issues

11. I agree the main issues are those listed by the Inspector:
- whether the proposal would provide an appropriate site for housing having regard to planning policies that seek to control the location of new development;
 - the effect of the development on the character and appearance of the area with particular regard to its designation as a Special Landscape Area; and
 - whether there are other material considerations that would justify granting permission in particular with regard to housing supply and the sustainable credentials of the development.

Whether the proposal would provide an appropriate site for housing having regard to planning policies that seek to control the location of new development

12. I agree the development plan comprises the Caerphilly Local Development Plan (LDP), adopted in 2010 and I note it is common ground the LDP is failing to deliver a five year housing supply with the current housing land supply standing at 1.9 years.
13. The Inspector notes the Council is preparing a Replacement LDP in order to address the housing land supply shortfall although the plan has yet to be subject to Examination in Public. The Inspector agrees with the parties, due to the stage of preparation, the Replacement LDP should be given slight/modest weight. I agree with the Inspector on this issue. Notwithstanding this point, I note on 11 October 2016 Caerphilly Council resolved to formally withdraw the Replacement LDP.
14. The Inspector notes the appellant considers the adopted LDP to be outdated and superseded by virtue of the Council's resolution to embark on a Replacement LDP. However, the Inspector considers the LDP accords with the general principles in PPW in terms of identifying settlement boundaries to manage new development, directing development to the most sustainable locations and providing for local, non-statutory designations such as Special Landscape Areas (SLAs) to protect areas of landscape value. The Inspector concludes the LDP, adopted in 2010 which plans for the period up to 2021, remains the adopted development plan for the purposes of determining this appeal and is neither out of date in its approach to the management of new development or superseded by changes to national policy. I am satisfied with this approach and, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the adopted LDP is the relevant development plan against which the appeal proposal should be determined unless material considerations indicate otherwise.

15. Policy SP5 of the LDP defines settlement boundaries and policy CW15 relates to general locational constraints and states, amongst other things, development outside settlement boundaries will not be permitted unless for certain specified activities. The Inspector notes the parties agreed the appeal site lies outside the LDP's defined settlement boundaries and the appeal proposal fails to conform with the adopted plan in this respect. I agree the appeal site is located outside the LDP's defined settlement policy boundaries and the proposal fails to accord with policies in the adopted development plan, specifically criterion A and B of LDP policy SP5 and LDP policy CW15. I also agree with the Inspector, in terms of criterion C of LDP policy SP5, the proposal would not result in coalescence of settlements or comprise ribbon and fragmented development. In terms of criterion D of policy SP5, I agree the proposal comprises inappropriate development in the countryside.
16. In conclusion on this particular matter, having regard to planning policies which seek to control the location of new development, I agree the proposed development would not provide an appropriate site for housing and would therefore fail to accord with the adopted LDP, in particular policy SP5.

The effect of the development on the character and appearance of the area with particular regard to its designation as a Special Landscape Area

17. I am satisfied the Inspector had sufficient information at the Inquiry in order to understand the potential landscape and visual impacts and I note the Inspector's findings on this matter have been informed by the evidence presented, her site visit and her observations from other public vantage points.
18. I note the site lies within an area designated as the North Caerphilly Special Landscape Area (SLA) in the LDP. The Inspector states the LDP identifies the primary landscape qualities and features of the SLA and these relate to cultural, landscape habitat, geological, visual and sensory and historic aspects.
19. Policy SP10 of the LDP states the Council will protect, conserve, enhance and manage the natural heritage of the Borough in the consideration of all development proposals within both the rural and built environment. Policy NH1 of the LDP states SLAs will be protected, the supporting text explains SLAs are local non-statutory designations which seek to protect areas exhibiting distinctive features and characteristics and will be protected from development which harms these features and characteristics. The Inspector states the policy is not designed to preclude development, however, applicants will need to demonstrate development proposals will not have an unacceptable impact on the specific distinctive features or characteristics associated with the SLA. I note this policy approach is in general conformity with guidance in Planning Policy Wales (PPW).
20. The Inspector states the effects of the proposal on the cultural, historic and geological aspects of the SLA were agreed at the Inquiry to be neutral and no objection was raised on the effects of landscape habitats. The Inspector is satisfied, whilst the proposal would result in the loss of an area of improved grassland used for agricultural purposes and some field edge habitat, this loss would not fundamentally impact on the SLA's overall specific distinctive cultural, landscape, geological or historic features and characteristics. I have no reason to disagree with this view.

21. In terms of the visual and sensory elements of the SLA, the Inspector states it is clear from the evidence presented, her observations on site and from surroundings, the proposal would be visible from a number of locations within the area. Based on her observations, the wider views are not of open, undeveloped countryside. The views comprise a mixture of high density urban development on the valley floor and sides surrounded by a predominant patchwork of agricultural fields interspersed with trees and hedgerows, rising to more open, wooded and less cultivated slopes of the upper valley sides and tops. I have no reason to disagree with the Inspector's assessment.
22. Whilst the Inspector notes the appeal site comprises part of the pastoral farmland in field enclosures which feature in the SLA and it makes a contribution to the overall form of the open rolling valley, she considers this to be a small element in the wider valley landscape. Noting the appeal site is located to the immediate west of Bedwas, with industrial development to the south which extends further west and beyond the proposed western boundary of the site, her view is the proposal would not visually project out into the open countryside when viewed from the wider surrounds and would be visually related to existing development in the valley. I am satisfied with the Inspector's judgement on this matter, including her opinion those using public rights of way and common land for recreation and residential occupiers, particularly some distance from the site, would not perceive the proposal as a completely alien feature in a landscape which is already heavily developed.
23. Representations were made to the Inspector concerning the lack of a defensible boundary to the west of the appeal site. Given the visual relationship with the surrounding development, the Inspector does not find this to be a compelling reason to resist development, noting there is scope to strengthen and consolidate existing hedgerows through the reserved matters applications. I agree with the Inspector, noting the application is in outline with all matters reserved.
24. The Inspector considers the effect of the development on the character and appearance of the wider landscape would not be substantial or of regional or district significance. Given the scale of the landscape and distances to sensitive receptors her view is the effect would be at worst minor adverse. I have no reason to disagree with this assessment.
25. The Inspector recognises the intrinsic character of the site itself and its immediate surrounds would inevitably be completely and irreversibly changed by the proposed development. Her opinion is the appearance and visual amenities of the area when viewed from the public right of way crossing the site, the disused railway to the north and from Pandy Mawr Road, Pandy Lane and properties backing onto Pandy Mawr Road would be significantly changed. However, the Inspector notes these routes are relatively short sections of a much wider network of paths and lanes along which users would experience a range of contrasting environments, from undeveloped open countryside to housing and industrial areas. Her overall findings on this issue are, whilst there would be considerable impacts to those sections of the routes which traverse through or immediately around the perimeter of the site, these are of local significance rather than regional or district and such impacts would be at worst moderate in significance. I am satisfied with the Inspector's assessment.

26. The Inspector notes, whilst residents' outlook would inevitably be changed, an existing belt of mature trees fronting Pandy Mawr Road and a hedgerow on the western side of Pandy Mawr Road, shown for retention on the masterplan, would provide a natural screen which would soften the impact to her satisfaction. Whilst existing trees and hedgerows have the potential, if retained, to provide a natural screen for existing residents I am satisfied, as is the Inspector, any potential for overlooking can be controlled through the reserved matters applications.
27. The Inspector acknowledges the proposal would clearly be an additional built element in the landscape. However, it would not fundamentally alter its overall character given the mix of developed and undeveloped land and the relationship of the site with the existing built form. Her findings are the proposal would have a moderate impact on the immediate appearance and visual amenities of the area with a minor impact on the overall landscape character. The Inspector does not find this moderate/minor impact to represent an unacceptable impact and concludes, on this issue, the proposal would not be in conflict with LDP policies SP10, NH1 and CW4. I agree with the Inspector's reasoning and conclusions on this matter.

Whether there are other material considerations that would justify granting permission in particular with regard to housing supply and the sustainable credentials of the development.

28. The Inspector notes the Council cannot demonstrate a 5 year housing supply and has been unable to do so since the LDP was adopted. The latest Joint Housing Land Supply Study (JHLAS) shows a current housing land supply figure of 1.9 years. Technical Advice Note 1 (TAN 1) states the housing land supply figure should be treated as a material consideration in determining planning applications for housing and where the current study shows a land supply below the 5-year requirement, the need to increase supply should be given considerable weight when dealing with planning applications provided the development would otherwise comply with development plan and national planning policies.
29. I agree with the Inspector, whilst the proposal does not comply with the development plan, the considerable shortfall in housing supply should be given substantial weight and weighs heavily in favour of the proposal.
30. The Inspector has given due regard to representations from the Council and residents which state the site should be developed through the Replacement LDP process and to grant planning permission now would be premature. As the Inspector notes, national policy clearly states refusal on grounds of prematurity, where an LDP is in preparation, will not usually be justified except in cases where a development proposal goes to the heart of a plan and is individually or cumulatively so significant to grant permission would predetermine decisions regarding the scale, location or phasing of new development which ought properly to be taken in the LDP context. The Inspector concludes the appeal proposal would not be prejudicial to the emerging Replacement LDP. I agree with her reasoning and conclusion on this matter. However, as the Council has resolved to formally withdraw the Replacement LDP, this issue is not relevant to the determination of this appeal.

31. The Inspector notes 25% of the first 270 houses and 30% above this level would be offered as affordable housing units. The Inspector also notes the 2015 Local Housing Market Assessment identifies the Bedwas, Trethomas and Machen ward as having the highest requirement for affordable housing and the proposal would make an important contribution to the identified need for affordable housing in the locality. The Inspector states the Council did not object to the proportion of houses to be provided as affordable homes and she has no reason to disagree with the proportion and split between low cost home ownership and rental units. I am satisfied with the Inspector's consideration of this issue.
32. I note the Inspector and main parties agree the proposal would contribute towards the economic and social dimensions of sustainability, I concur with this view. The Inspector is satisfied the proposal would be served by a regular bus service, with additional services planned. Also, a number of measures to encourage non-car use and contributions to sustainable travel initiatives are proposed. The Inspector also notes the site is located in close proximity to local services and facilities in Bedwas and Caerphilly, reducing the need to travel.
33. The Inspector acknowledges the proposal would result in the loss of an area of agricultural land. However, as clarified at the Inquiry, although the Agricultural Land Classification identifies part of the site as grade 3a, climate change data limits the site to grade 3b at best. The Inspector has no reason to disagree with this assessment and is satisfied the proposal would not result in the loss of the best and most versatile land. I am content with the Inspector's conclusions on this matter.
34. The Inspector notes the site does contain sandstone and mineral resources which are safeguarded in the LDP, however, due to the proximity to the settlement area, her assessment is excavation of these resources would likely to be unacceptable taking into account the defined buffer zones for such extraction. I agree with this view.
35. The Inspector's conclusion on this particular main issue is the proposal would provide much needed housing, including affordable housing, which would meet a short term need to address the considerable shortfall in housing supply prior to adoption of the Replacement LDP. Her view is the appeal site lies in a sustainable location, the proposal would not use best or most versatile agricultural land or prejudice future mineral supply and would not cause unacceptable effects to the character and appearance of the SLA or area. Her overall conclusion is an overriding need for the development exists which outweighs the identified conflict with the development plan. I agree with this conclusion.

Other Matters

36. The Inspector notes a considerable amount of representation was received on highway grounds, the application was accompanied by a Transport Assessment and the Council did not raise a highway objection or submit evidence on highway grounds to the Inquiry.
37. I agree the appeal site lies within a sustainable location in respect of its proximity to non-car modes of travel, accessibility to local services, and note a suite of measures to encourage sustainable travel are included in the proposals.

38. In relation to highway safety, the Inspector states the Transport Assessment was carried out using recognised data and methodology which the parties agreed was acceptable. A further survey was undertaken in relation to parking in Pandy Road and the appellant's highways witness undertook a survey on journey times between Ystrad Mynach and Bedwas. The Inspector notes residents' concerns regarding the surveys, however, she is satisfied the assessments and surveys were carried out using recognised and accepted methodology and provide sufficient information to understand the potential highway impacts of the development. I have no reason to disagree with the Inspector on this matter.
39. In terms of impact on the immediate highway network, the Inspector notes details of the proposed access onto Pandy Road would be subject to a reserved matters application. However, based on the masterplan, indicative access plans in the Transport Assessment and her observations, the Inspector is satisfied an appropriate means of access with acceptable forward visibility in both directions would be achieved from/onto Pandy Road. The Inspector also considers the existing pavements on Pandy Road would be of sufficient width to provide an acceptable pedestrian link to local public transport, services and facilities. I have no reason to disagree with the Inspector's view.
40. The Inspector acknowledges on street parking occurs on Pandy Road, some of which is close to the site. I am satisfied the Inspector has given due consideration to representations on this matter when concluding, on the basis of evidence presented to her, the proposed development would not make any material difference to parking and obstruction difficulties experienced in Pandy Road.
41. The Inspector states the Transport Assessment confirms, whilst there would be additional traffic using the local highway network, there is adequate capacity both on the roads and at junctions to absorb the additional trips generated. Evidence presented at the Inquiry confirms, even if assumptions in the Transport Assessment were incorrect in relation to trip generation and routes, the highway network and junctions would have capacity to accommodate the additional traffic. The Inspector identifies two junctions likely to be at capacity in 2030, the Bedwas/Greenway (A468/B4600) junction and two arms of the Bedwas roundabout. However, the Inspector is satisfied a planning obligation can secure improvements to the Bedwas/Greenway junction through provision of a new traffic light system. I also note the Inspector states further improvements to the Bedwas roundabout can be secured under the Council's Community Infrastructure Levy.
42. The Inspector acknowledges concerns relating to the use of Pandy Road/Lane as a cut through to Ystrad Mynach. Based on her observations, a certain amount of traffic uses the route during peak hours, however, her view is no convincing evidence has been presented to indicate the relatively small increase in additional traffic from the proposed development along this road would result in any increase in risk to highway safety. I am satisfied with the Inspector's assessment of this issue.
43. At the Inquiry, reference was made to accidents in the vicinity of the site. The Inspector considers, based on the evidence presented, these accidents were not directly related to highway conditions. The Inspector has no reason to believe the proposed development would result in any additional highway safety concerns. I am content with this assessment.

44. I acknowledge the Inspector has addressed a number of concerns raised by residents, local groups and organisations in the main considerations or through recommended conditions. I also note the relevant statutory advisors in relation to sewage, drainage and biodiversity did not raise any objections, subject to appropriate conditions. The Inspector states representations relating to flooding are noted. However, the site lies largely in Flood Zone A where flood risk is low and the flooding event, referred to by residents, was confirmed to be caused by a poorly maintained drain. The Inspector also acknowledges representations relating to air quality, however, her view is no conclusive evidence has been presented to indicate the proposal would give rise to any additional air quality concerns. I am satisfied with the Inspector's consideration of these matters.
45. I note the Grade II* listed building and scheduled ancient monument Bryngwyn Colliery Engine House and Grade II listed Pandy Mawr railway bridge are located approximately 150m and 140m from the appeal site, respectively. A Heritage Assessment of the effect of the proposal on these historic assets was provided to the Inspector. I am satisfied, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the need to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses has been taken into account by the Inspector. The Inspector is satisfied the Bryngwyn Colliery and its setting would, as stated in the Heritage Assessment, be preserved by the appeal proposals. Her opinion is no harm would be caused to Pandy Mawr Railway Arch or its setting, noting the Heritage Assessment makes a similar conclusion. I have no reason to disagree with the Inspector on this matter.
46. I note the Inspector considers there is no evidence before her to substantiate concerns regarding health and education facilities, acknowledging the Council would seek contributions under its Community Infrastructure Levy towards social infrastructure including education, community and leisure facilities.
47. Regarding the three appeal decisions cited at the Inquiry, I am satisfied they do not alter the balancing of issues and conclusions reached in the Inspector's report.

Conditions and Obligations

48. I have considered the suggested conditions set out at Annex A to the Inspector's report and, subject to minor changes to assist clarity, agree they are necessary and reasonable and meet the tests in Welsh Government Circular 016/2014.
49. I am satisfied the obligations in the amended Section 106 legal agreement, dated 4 January 2017, meet the appropriate tests in Section 122(2) of the Community Infrastructure Levy Regulations 2010 and Circular 13/97. As such I have given weight to the Section 106 Agreement in the determination of this appeal.

Overall Conclusions

50. The Inspector's overall conclusions are:

"A decision on the appeal is required to be made in accordance with the development plan unless material considerations indicate otherwise. The LDP is the development plan.

Whilst the failure of the current plan to provide a five year housing supply is acknowledged and the Council is embarking on Replacement LDP to address this failure, I find that the relevant policies to this appeal within the adopted LDP remain in accordance with national policy in respect of defining settlement boundaries and providing local non-statutory designations such as SLAs. As such I consider that the policies are neither outdated nor superseded. The Replacement LDP provides the proper process for considering changes to settlement boundaries or local natural heritage designations and can be given little weight given its current position.

The Council cannot demonstrate a five year housing supply. The need to increase supply should be given considerable weight where the proposal would otherwise comply with development plan and national planning policies.

The proposal fails to accord with the adopted development plan as the proposal would constitute a housing development outside the defined settlement boundaries (LDP policy SP5). Nonetheless I have found that the proposal would not have an unacceptable impact on the specific distinctive features and qualities of the SLA or on its overall integrity and would not conflict with development plan policies that seek to protect, conserve, enhance and manage the valuable features of the natural and built environment (LDP policies SP10, NH1 and CW4).

The proposal would also constitute sustainable development being located in close proximity to the settlement boundary with its range of services and facilities and would be in close proximity to public transport. The proposal also includes a number of sustainable travel measures. In the particular circumstances of this case I find the contribution to the supply of housing, including affordable housing, in a sustainable location to be material considerations that outweigh the conflict with the development plan.

I have taken into account all information submitted to the Inquiry. I have also taken into account the Section 106 Agreement and accord it significant weight. I have considered the conditions that should be applied to a grant of planning permission and have set out a list of recommended conditions at Annex A.

I have taken into account all other matters raised, but find none that would lead me to a different conclusion. I conclude that the appeal should be allowed and planning permission be granted subject to conditions.

Recommendation

For the reasons above I recommend that the appeal be allowed, and planning permission granted subject to the conditions set out in Annex A."

51. Subject to my comments on the status and weight to be afforded to the Replacement LDP (see paragraph 10 of this letter) I agree with the Inspector's recommendation for the reasons given by her.

Formal Decision

52. For the reasons given, and in exercise of the power referred to in paragraph 2 of this decision letter, I allow your client's appeal (APP/K6920/A/15/3136679) and hereby grant planning permission subject to the conditions detailed in the Annex to this letter.
53. In reaching this decision I note the duty to carry out sustainable development under section 2 of the Planning (Wales) Act 2015 and I consider the decision accords with the sustainable development principle set out in the FG Act 2015. In accordance with section 3(2) of the FG Act 2015 and the well-being objectives of the Welsh Ministers, the decision will "improve access to secure, safe, efficient and affordable homes" and provides the opportunity to develop and "support safe, cohesive and resilient communities".
54. A copy of this letter has been sent to Caerphilly County Borough Council and to those who asked to be informed of the decision.

Yours sincerely
Lesley Griffiths

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs

Conditions attached to the Welsh Ministers' decision to allow planning appeal APP/K6920/A/15/3136679 – Outline planning permission for, “Residential development with associated public open space, landscaping and highways infrastructure including a new highways access from Pandy Road and footpaths; and requiring the installation of new services and infrastructure and other ancillary works and activities”, on Land North of Pandy Road, Bedwas, Caerphilly.

Reserved Matters

1. Details of the access, appearance, landscaping, layout, and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. The reserved matters shall follow the principles, parameters and objectives of the indicative masterplan (plan reference G1334).
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than two years from the date of this permission.
3. The development shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Dwelling Limit

4. No more than 300 dwellings shall be constructed on the site.

Construction Method Statement

5. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - a. the parking of vehicles of site operatives and visitors;
 - b. loading and unloading of plant and materials;
 - c. storage of plant and materials used in constructing the development;
 - d. construction traffic routes;
 - e. temporary facilities for staff and welfare;
 - f. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate;
 - g. wheel washing facilities;
 - h. measures to control the emission of dust and dirt during construction;
 - i. a scheme for recycling/disposing of waste resulting from the construction works; and
 - j. hours of working and deliveries.

Tree Protection

6. The details required under Condition 1 shall include an Arboricultural Method Statement and Tree Protection Plan which shall include:
 - a. all site instructions and prohibitions necessary to the success of the Tree Protection Plan;
 - b. a programme for arboricultural supervision and monitoring;
 - c. a programme for any pre-development access facilitation works; and
 - d. the requirements for any contractors engaged to provide such services.

The Method Statement and Tree Protection Plan shall be agreed in writing with the local planning authority and thereafter all works shall be undertaken in accordance with the agreed details.

Landscaping and Open Space

7. The details required under Condition 1 shall include the provision of formal play equipment within the site area. The details shall be submitted to and approved in writing by the local planning authority and thereafter implemented and retained in accordance with the approved details.
8. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.

Access

9. Prior to occupation of the first dwelling, a travel plan shall be submitted to and approved in writing by the local planning authority and shall thereafter be implemented in accordance with any timescales contained therein.
10. Prior to the commencement of development a detailed scheme to improve Pandly Road through the provision of features set out within Figure 5.2 of the submitted Transport Assessment (January 2015) shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved and no dwellings shall be occupied until the scheme has been completed.

Ecological Mitigation

11. Prior to the commencement of development, including site/vegetation clearance, a detailed methodology for the capture and relocation of reptiles on site, including details of the receptor site, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved.
12. Prior to the commencement of development a light mitigation strategy, including measures to ensure that street lighting and security lighting reduce light spillage into foraging habitats for bats, shall be submitted to and approved in writing by the local planning authority. The light mitigation strategy shall be carried out as approved.
13. Prior to the commencement of development, a plan showing details of works for the provision of roosts and a means of access for bats in the development shall be submitted and approved in writing by the local planning authority. The works shall be carried out and retained as approved.
14. Prior to the commencement of development, details of works for the provision of nesting sites for bird species (house sparrow, house martin, starling, swallow and swift) in the development shall be submitted to and approved in writing by the local planning authority. The works shall be carried out and retained as approved.

Drainage, Contamination and Ground Works

15. The details required under Condition 1 shall include a scheme for the drainage of foul, land and surface water at the site. The details shall be submitted to and approved in writing by the local planning authority. The works shall be carried out and retained as approved.
16. The details submitted under Condition 1 shall provide finished ground floor levels above adjacent ground levels in accordance with recommendations in the Flood Consequences Assessment prepared by Marsden Associates, dated December 2014. The details shall be submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved details.

17. Prior to any soils or hardcore that do not fall within the green category set out in Table 2 of the Welsh Local Government Association's document "Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013" being brought onto site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the local planning authority. The development shall thereafter be carried out in accordance with the approved scheme.
18. No development shall take place until a site investigation has been carried out in accordance with the recommendations of the "Desk Study and Preliminary Geotechnical Report", dated October 2014. The methodology for the site investigation shall be submitted to and approved in writing by the local planning authority before investigation works begin. If any land instability issues are found during the site investigation, including any associated with areas of shallow mine workings, a report specifying the measures to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the local planning authority. If the site investigation report confirms the need for remedial works to ensure the safety and stability of the proposed development, such works shall be undertaken prior to commencement of the residential elements of the scheme hereby approved and retained in perpetuity.

Noise Mitigation

19. All properties located below (to the south of) the blue line shown on the Indicative Sketch Masterplan G1334 (Rev E), in Appendix C of the Environmental Noise Survey, dated 18 December 2014 and submitted with the application, shall be fitted with double glazed windows and acoustic trickle vents on windows facing Pandy Road prior to their occupation.

Means of Enclosure

20. The details required under Condition 1 shall include the means of enclosure of all gardens backing onto Pandy Road which shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.