

Cymeradwyo /Approval of Outline Planning Permission

Deddf Cynllunio Tref a Gwlad 1990
Gorchymyn Cynllunio Tref a Gwlad (Gweithdrefn Rheoli Datblygu) Cymru
2012
Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012

Cais Rhif/ Application No: **DC/2016/00883**

Ymgeisydd/ Applicant:	Mr Ben Winstanley Monmouthshire County Council County Hall The Rhadyr Usk NP15 1GA	Asiant/Agent
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Mae **CYNGOR SIR FYNWY** fel yr Awdurdod Cynllunio Lleol drwy hyn yn **caniatáu**’r datblygiad dilynol yn unol â’r cynlluniau a’r cais a gyflwynwyd i’r Cyngor, yn ddarostyngedig i unrhyw amodau.

MONMOUTHSHIRE COUNTY COUNCIL as Local Planning Authority hereby **Approve** the following development in accordance with the plans and application submitted to the Council, subject to any conditions.

Lleoliad/Location:	Rockfield Farm, The Elms, Undy, Caldicot, Monmouthshire, NP26 3EL
Disgrifiad o'r Cynnig/Description of Proposal:	Master planned development of 13.8 hectares of land for residential use and employment use; up to 266 Proposed residential units and approximately 5575 square meters of B1 floor space.

DARLLENWCH Y NODIADAU A ATODIR OS GWELWCH YN DDA
PLEASE READ THE ATTACHED NOTES

Dyddiad/Date: 20 March 2018

Llofnod/Signed:



Rheolwr Gwasanaethau Datblygu/Development Services Manager

Cyngor Sir Fynwy, Neuadd y Sir, Rhadyr, Brynbuga, NP15 1GA/Monmouthshire County Council, County Hall, Rhadyr, Usk. NP15 1GA

**MAE'N BWYSIG EICH BOD YN CYDYMFFURFIO GYDA'R CYNLLUNIAU A
GYMERADWYFYD A'R CANIATÂD CYNLLUNIO, YN CYNNWYS AMODAU.
DARLLENWCH Y NODIADAU SY'N CYD-FYND Â'R PENDERFYNIAD HWN OS
GWELWCH YN DDA.**

PWYSIG: MAE'R CYFATHREBIAD YMA'N EFFEITHIO AR EICH EIDDO

**IT IS IMPORTANT THAT YOU COMPLY WITH THE APPROVED PLANS AND THE
PLANNING PERMISSION, INCLUDING CONDITIONS. PLEASE READ THE NOTES
ACCOMPANYING THIS DECISION.**

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

Amodau a Rhesymau/Conditions and Reasons

- 1 Approval of the details of the layout, scale and appearance of the buildings and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority prior to any works commencing on site.
Reason: The application is in outline only.**
- 2 (a) Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. b) The development hereby approved must be begun either before the expiration of five 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.
Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990.**
- 3 The development shall be carried out in accordance with the list of approved plans set out in the table below.
Reason: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.**
- 4 No development shall take place (including demolition, ground works, vegetation clearance) in each reserved matters area until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following: a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction including. d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented**

throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard Priority Habitats and Protected species during development in accordance with LDP policy NE1 and The Environment (Wales) Act 2016.

- 5** Full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority in conjunction with each reserved matters application for landscaping. These details should reflect the guidelines set out in the GI Masterplan plan. Details shall include [for example]:-
- o Detailed plans / elevations of the proposed building
 - o proposed finished levels or contours;
 - o means of enclosure;
 - o car parking layouts;
 - o other vehicle and pedestrian access and circulation areas;
 - o hard surfacing materials;
 - o proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports and CCTV installations.);
 - o retained historic or other landscape features and proposals for restoration, where relevant.
 - o Water Features
 - o Clarification of access connections beyond the site
 - o Where historic environment impacts are identified these are reflected through appropriate mitigation.

Reason: To ensure the provision afforded by appropriate landscape design and Green Infrastructure.

- 6** Each reserved matters application for layout shall include existing and proposed site sections as well as proposed finished floor levels to be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- Reason:** In the interest of maintaining the amenity value of the area.

- 7** Before any works commence on site, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. This boundary treatment shall be implemented : a) before the use hereby approved is commenced or b) before the building(s) is / are occupied or c) in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of the area.

- 8** Prior to any works commencing on site a Construction Management Plan (CMP) in each reserved matters area shall be submitted to and approved by the Local Planning Authority, which shall include traffic management measures, hours of working, measures to control dust, noise and related nuisances, and measures to protect adjoining users from construction works. The development shall be carried out in accordance with the approved CMP.

Reason: To ensure the development is carried out in a safe and considerate manner

- 9 **No development shall take place until the applicant, or their agents or successors in title, has secured implementation of a programme of Archaeological work in accordance with that out-lined in "Rockfield Farm, Undy, Monmouthshire Written Scheme of Investigation for Archaeological Works Version 2" (Dyfed Archaeological Trust (Project no. FS16-096, dated April 2017).**
Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 10 **No development shall commence until a foul water drainage scheme to satisfactorily accommodate the foul water discharge from the site has been submitted to and approved in writing by the local planning authority. The approved details shall evidence that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. Thereafter, no part of the development shall be brought into use and no dwelling shall be occupied until the agreed foul drainage system has been constructed, completed and brought into use in accordance with the approved scheme.**
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 11 **No trees or shrubs are to be removed on each reserved matters area until there has been submitted and agreed in writing a scheme of tree protection in accordance with information shown in the Pre-development Tree Survey dated March 2016. The information shall contain the following:**
 - o **A tree retention and removal plan.**
 - o **A scaled tree protection plan showing retained trees and their root protection areas on the proposed layout.**
 - o **An Arboricultural Method Statement showing how trees/shrubs may be protected from harm where construction activity within any root protection area is unavoidable.**
 - o **A scheme of access facilitation pruning.**
 - o **Tree protection barrier details.**
 - o **A scheme of arboricultural monitoring over the course of the development.****Reason: To ensure the long term health and viability of valuable green infrastructure assets in accordance with Policy S13 - Landscape, Green Infrastructure and the Natural Environment.**
- 12 **In conjunction with the submission of the first of the reserved matters, a phasing strategy for the whole site shall be submitted to and approved in writing with the Local Planning Authority. The strategy will include development, physical and green infrastructure, and recreation/open space provision. The implementation of the site shall be undertaken in accordance with that phasing strategy.**
Reason: For the avoidance of doubt given the phased nature of the development.
- 13 **A Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority with the first reserved matters application. The content of the Management Plan shall include the following;**

- a) Description and evaluation of Green Infrastructure assets to be managed.
- b) Trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) A schedule of landscape maintenance for a minimum period of five years.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background - Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016).

- 14 Reserved matters applications for layout and appearance shall include a "lighting design strategy for biodiversity" to be submitted for approval in writing by the local planning authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for biodiversity and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard habitat used by foraging and commuting species and to limit adverse changes to behaviour of biodiversity in accordance with LDP Policy EP3.

- 15 Each reserved matters application for layout shall include a potable water scheme to satisfactorily accommodate the water usage from the site to be submitted to and approved in writing by the local planning authority. Thereafter, no development shall be brought into use and no dwelling shall be occupied until the agreed foul drainage system has been constructed, completed in accordance with the approved scheme.

Reason: To ensure each property can be served with an adequate water supply.

- 16 Details of for the re-engineering and change of use for The Elms shall be submitted in conjunction with the relevant reserved matters application for layout. The development shall be carried out in accordance with those approved details.**

Reason: To ensure that the existing public highway is re-engineered in the interest of highway safety and Local Development Plan Policy MV1.

- 17 Each reserved matters applications for layout and appearance shall include full details of noise mitigation for each dwelling to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of each dwelling.**

Reason: To safeguard the amenities of the occupiers of the dwellings and ensure compliance with Policy EP1 of the Local Development Plan.

- 18 If the demolition of Rockfield Farmhouse and associated outbuildings does not commence (or, having commenced, is suspended for more than 12 months) within 1 year from the date of the planning consent, a review of bat roost and nesting bird potential shall be reconsidered. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of bats or nesting birds and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of stripping and demolition of the Farmhouse and outbuildings. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.**

Reason: To review impacts on protected and priority species prior to development in accordance with LDP Policy NE1 and The Environment (Wales) Act 2016.

- 19 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.**

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

Polisiâu Cynllun Datblygu Lleol Sir Fynwy
Monmouthshire Local Development Plan Policies :-

CRF1 LDP Retention of Existing Community

DES1 LDP General Design Considerations

DES2 LDP Areas of Amenity Importance

EP1 LDP Amenity and Environmental Protection

EP5 LDP Foul Sewage Disposal

H1 LDP Residential Development in Main Towns, Severnside Settlements
and Rural Secondary Settlements

MV1 LDP Proposed Developments and Highway Considerations

MV2 LDP Sustainable Transport Access

MV3 LDP Public Rights of Way

NE1 LDP Nature Conservation and Development

S1 LDP The Spatial Distribution of New Housing Provision

S12 LDP Efficient Resource Use and Flood Risk

S13 LDP Landscape, Green Infrastructure and the Natural Environment

S17 LDP Place Making and Design

S2 LDP Housing Provision

S4 LDP Affordable Housing Provision

S5 LDP Community and Recreation Facilities

SAH5 LDP Rockfield Farm, Undy

SD2 LDP Sustainable Construction and Energy Efficiency

SD4 LDP Sustainable Drainage

Y **Cynlluniau** a gymeradwywyd gyda'r caniatâd hwn yw:
The **Plans** approved with this permission are:

Cyfeirnod Cynllun /Plan Ref No.	Fersiwn Rhif/Version No.
A090363[B]03	
A090363[B]02	
Rockfield Farm, Undy, Monmouthshire Written Scheme of Investigation for Archaeological Works Version 2" (Dyfed Archaeological Trust (Project no. FS16-096, dated April 2017).	
A090363[B]01	

HYSBYSIAD PWYSIG

RHODDWYD EICH CANIATÂD CYNLLUNIO

DARLLENWCH YR WYBODAETH DDILYNOL YN OFALUS OS GWELWCH YN DDA

**Os ydych yn asiant rhowch yr Hysbysiad hwn i'ch cleient gyda'r Caniatâd
Cynllunio os gwelwch yn dda**

Gall sut y symudwch ymlaen gyda'ch datblygiad effeithio ar eich eiddo, er enghraifft ei werth neu werthiant ac arwain at gamau gorfodaeth os nad ydych yn dilyn y cyngor yma.

Amodau

Darllenwch yr amodau'n ofalus os gwelwch yn dda. Eich cyfrifoldeb chi yw cydymffurfio â nhw.

- Gall rhai amodau olygu fod angen cyflwyno manylion, ee deunyddiau neu dirlunio, cyn i'r gwaith ddechrau neu cyn y gwneir newid defnydd. Mae'n rhaid i chi sicrhau eich bod yn cydymffurfio gyda holl amodau o'r math yma cyn i'r gwaith ddechrau neu o fewn y cyfnod a nodwyd.
- Bydd methiant i gyflwyno materion sydd eu hangen gan amod yn gwneud eich caniatâd cynllunio yn annilys a gall arwain at gamau gorfodaeth yn eich erbyn.

Cydymffurfio gyda Chynlluniau Cymeradwy

Mae'n rhaid i chi wneud y datblygiad fel y'i cymeradwywyd neu gytuno ar newidiadau. Bydd eich caniatâd yn annilys os nad ydych yn gwneud y datblygiad yn llwyr yn unol â chynlluniau cymeradwy.

- Bydd angen i chi wneud cais newydd os dymunwch amrywio eich cynllun neu newidiadau yn ganlyniad gofynion eraill.

Gall y Cyngor gymryd camau gorfodaeth a all arwain at erlyniad yn y Llys Ynadon lle medrir gosod cosb o hyd at £20,000. Er mwyn sicrhau eich bod yn osgoi unrhyw un o'r canlyniadau uchod, gofynnir i chi sicrhau eich bod yn cydymffurfio gyda phob agwedd o'ch caniatâd a chynlluniau.

**Cadwch yr Hysbysiad yma gyda'ch Caniatâd Cynllunio os gwelwch yn dda
Gwnewch yn siŵr fod gan eich Adeiladwr gopi o'r Cynlluniau a
Gymeradwywyd.**

NODIADAU

Apeliadau i Lywodraeth Cymru

- Os ydych wedi eich tramgwyddo gan benderfyniad yr Awdurdod Cynllunio Lleol i roi caniatâd cynllunio yn ddarostyngedig i amodau, yna gallwch apelio at Lywodraeth Cymru yn unol ag Adran 78 Deddf Cynllunio Tref a Gwlad 1980.
- Os ydych eisiau apelio, yna mae'n rhaid i chi wneud hynny o fewn **chwe mis** o ddyddiad yr hysbysiad hwn yn defnyddio ffurflen y gallwch ei chael gan yr Arolygiaeth Cynllunio, Parc Cathays, Caerdydd CF10 3NQ.
- Gall Llywodraeth Cymru ganiatáu cyfnod hirach ar gyfer rhoi hysbysiad apêl ond ni fydd fel arfer yn barod i ddefnyddio'r pŵer yma os nad oes amgylchiadau arbennig sy'n esgusodi'r oedi wrth roi hysbysiad o'r apêl.
- Nid yw'n rhaid i Lywodraeth Cymru ystyried apêl os yw'n ymddangos na allai'r Awdurdod Cynllunio Lleol fod wedi rhoi'r caniatâd heb yr amodau y gwnaethant eu gosod gan roi ystyriaeth i ofynion statudol, i ddarpariaethau'r gorchymyn datblygu ac unrhyw gyfarwyddiadau a roddwyd dan y gorchymyn.
- Yn ymarferol nid yw Llywodraeth Cymru yn gwrthod ystyried apeliadau yn unig oherwydd bod yr Awdurdod Cynllunio Lleol wedi seilio eu penderfyniad ar gyfarwyddyd a roddwyd gan Lywodraeth Cymru.

Hysbysiadau Prynu

- Os yw un ai'r Awdurdod Cynllunio Lleol neu Lywodraeth Cymru yn gwrthod caniatâd i ddatblygu tir neu ei roi yn ddarostyngedig i amodau, gall perchennog y tir hawlio na all naill ai wneud defnydd rhesymol fuddiol o'r tir yn ei gyflwr presennol na gwneud y tir yn alluog o ddefnydd rhesymol fuddiol drwy wneud unrhyw waith datblygu sydd wedi neu a fyddai'n cael ei ganiatáu.
- Yn yr amgylchiadau hyn gall y perchennog gyflwyno hysbysiad prynu i'r Cyngor lle mae'r tir wedi'i leoli. Bydd yr hysbysiad yn ei gwneud yn ofynnol i'r Cyngor brynu ei ddiddordeb yn y tir yn unol â darpariaethau Rhan VI Deddf Cynllunio Tref a Gwlad 1990.

IMPORTANT NOTICE

YOUR PLANNING PERMISSION HAS BEEN GRANTED

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY

If you are an agent please pass this Notice to your client with the Planning Permission

How you proceed with your development may affect your property, for example its value or sale and lead to enforcement action if you do not follow this advice.

Conditions

Please read the conditions carefully. It is your responsibility to comply with them.

- Some conditions may require the submission of details, eg materials or landscaping, *before* work starts or a change of use is made. You must ensure that you comply with all conditions of this type before work starts or within the period specified.
- Failure to submit matters required by condition will make your planning permission invalid and may lead to enforcement action being taken against you.

Compliance With Approved Plans

*You must carry out the development as approved or agree changes.
If you do not carry out the development in strict accordance with the approved plans your permission will be invalid.*

- If you wish to vary your scheme or changes result from other requirements you will need to make a new application.

The Council can take enforcement action which may lead to prosecution in the Magistrates Courts where a fine of up to £20,000 can be imposed. In order to ensure that you avoid any of the above consequences please ensure that you comply with all aspects of your permission and plans.

**Please Keep this Notice with Your Planning Permission
Make Sure Your Builder has a Copy of the Approved Plans**

NOTES

Appeals to the Welsh Government

- If you are aggrieved by the decision of the Local Planning Authority to grant planning permission subject to conditions, then you can appeal to the Welsh Government in accordance with Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within **six months** of the date of this notice using a form which you can get from the Planning Inspectorate, Cathays Park, Cardiff CF10 3NQ.
- The Welsh Government can allow a longer period for the giving of a notice of an appeal but will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal.
- The Welsh Government need not consider an appeal if it seems that the Local Planning Authority could not have granted the permission without the conditions they imposed having regard to statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice the Welsh Government does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Welsh Government.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuse permission to develop land or grant it subject to conditions, the owner of the land may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.