PEDW Appeal: CAS-04270-K6C4W6

Caerphilly County Borough Council Reference: ENF/23/0055

Statement of Common Ground – Planning Conditions

Following the appeal hearing for appeal CAS-04270-K6C4W6 that took place on the 14th July 2026, the inspector requested that the Local Planning Authority provide a schedule of conditions, in the event the inspector is minded to grant planning permission for the development. It should be noted that the conditions are in a draft form, however the intent behind the conditions should be clear to understand.

The Local Planning Authority would also like to reiterate the need for a Section 106 agreement to tie the dwelling to the land, which as discussed at the hearing, was confirmed not to be possible through the appeal procedure.

Table of Conditions

Condition	LPA Comments	Appellant Agreement (Y/N)	Appellant Comments
The development shall be carried out in accordance with the following approved plans and documents: Dwg No. Location Plan received 30.05.2025; Dwg No. Block Plan received 30.04.2025; Dwg No. Cross Section received 30.04.2025; Dwg No. Cross Section of Land After Levelling received 30.04.2025;	Plans and documents listed are those that were submitted under planning application 25/0263/RET.		

Dwg No. Front Elevation received 30.04.2025; Dwg No. Internal Layout received 30.04.2025; Dwg No. Left Side View received 30.04.2025; Dwg No. Left Side View received 30.04.2025; Dwg No. Right Side View received 30.04.2025; Document Named: One Planet Development Management Plan received 15.05.2025; Document Named: Ecological Appraisal received 30.04.2025; Document Named: Tree Constraints Plan received 15.05.2025; Document Named: Ecological Footprint Improvement Plan received 15.05.2025; Document Named: Solar Panel Data received 15.05.2025; Document Named: Tree Survey/Categorisation Report and Retrospective Arboricultural Impact Assessment received 15.05.2025; and Document Named: Green Infrastructure Statement received 30.04.2025. REASON: To ensure that the			

development is carried out only as approved by the Local Planning Authority.			
The residential use hereby permitted shall be discontinued, the main dwellinghouse and ancillary dwelling and other structures hereby permitted removed from the land and the land restored to its former condition, within 12 months of the date of this consent if the phasing strategy as set out in the One Planet Development Management Plan dated 15.05.2025, is not implemented in accordance with the timetable set out in that plan. REASON: To retain effective control over the development to comply with policies in Technical Advice Note 6 - Planning for Sustainable Rural Communities.	It is imperative that the development is carried out in accordance with the phasing strategy to ensure that the development becomes a one planet development as soon as possible in order to comply with the national planning guidance.		
No later than 1st April each year, commencing 1st April 2028, a written Monitoring Report shall be submitted to the Local Planning Authority giving details of the activities carried out during the previous twelve months in compliance with the Monitoring Strategy listed in the One Planet Development Management Plan dated 15.05.2025. In particular, the	It is imperative that the development is adequately monitored to ensure that it remains a one planet development as soon as possible in order to comply with the national planning guidance.		

Monitoring Report shall include details of the following: a) An appraisal of the project's progress in relation to the Management Plan and towards 1.88 gha ecological footprint. b) An assessment of the proportion of basic household food needs being met directly from land based activities on the site to secure at least 65%. c) An appraisal of vehicle trips generated by the project. d) A record of social and/or educational events provided. e) A zero carbon analysis of the project and its activities to demonstrate that it is zero carbon in use. Within 12 months of the failure to submit a Monitoring Report the residential use hereby permitted shall be discontinued, the main dwellinghouse and ancillary dwelling and other structures hereby permitted removed from the land and the land restored to its former condition. REASON: To retain effective control over the development to comply with policies in Technical Advice Note 6 - Planning for Sustainable Rural Communities.			

Should the Monitoring Report identified in (relevant condition number) above show that the aims and objectives of the Management Plan are not being met, a supplementary report setting out corrective or mitigating measures shall be submitted to the Local Planning Authority no later than 1st July of that year. Those measures shall be implemented in accordance with the supplementary report. Within 12 months of the failure to submit that supplementary report the residential use hereby permitted shall be discontinued, the main dwelling house and ancillary dwelling and other structures hereby permitted removed from the land and the land restored to its former condition. REASON: To retain effective control over the development to comply with policies in Technical Advice Note 6 - Planning for Sustainable Rural Communities.			
Should the corrective or mitigating measures referred to in (relevant condition number) above fail to meet the aims and objectives of the One Planet Development Management Plan dated 15.05.2025 within 3 years from	It is imperative that the development is adequately monitored to ensure that it remains a one planet development as soon as possible in order to		

the date of the corrective or mitigating measures being agreed, within the 12 months immediately after that 3 year period the residential use hereby permitted shall be discontinued, the main dwellinghouse and ancillary dwelling and other structures hereby permitted removed from the land and the land restored to its former condition. REASON: To retain effective control over the development to comply with policies in Technical Advice Note 6 - Planning for Sustainable Rural Communities.	comply with the national planning guidance.		
Notwithstanding the submitted Block Plan dated 30.04.2025, revised details of the proposed siting, design and external finishes of the ancillary buildings namely the chicken shed, garden shed, log store, implement shed and access tracks shall be submitted to and agreed in writing with the Local Planning Authority within 1 month from the date of this permission. The amendments shall be implemented in full within 3 months from the date of agreement being reached.	Application 25/0263/RET lacked specific plans of the ancillary buildings. Specifics of these structures are required to ensure the visual impact is acceptable.		

REASON: In the interests of the visual amenity of the area in accordance with policy CW4 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.			
Within 1 calendar month of the date of this permission, the area indicated for the parking of vehicles shall have been laid out in accordance with Dwg No. Block Plan received 30.04.2025 and that area shall not thereafter be used for any purpose other than the parking of vehicles. REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.			
Within 1 calendar month of the date of this permission, the proposed means of access shall be laid out, constructed and maintained thereafter with vision splays of 2.4m x 25m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent private drive shall be placed or allowed to grow in the required vision splay areas. REASON: In the interest of highway safety in accordance with Policy CW3			

of the Caerphilly County Borough Local Development Plan up to 2021.			
The residential use hereby permitted shall be discontinued and ancillary dwelling and other structures hereby permitted removed from the land and the land restored to its former condition, within 12 months of the date of this consent if right of access along the private access road leading from Pandy Lane to the application site are not demonstrated and approved in writing within 1 calendar month of the date of this consent. REASON: In the interest of highway safety in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021.	The application did not demonstrate right of access over the private lane leading from Pandy Lane to the application site. This formed a reason for refusal and should be addressed.		
Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, or any order amending or re enacting that order with or without modification, no development within Parts 1, 2, 5, 6, 7 and 40 of Schedule 2 of that Order (or any Order revoking or re-enacting that Order) shall be carried out without specific planning permission being obtained.	To ensure effective control over the site.		

REASON: To retain effective control over the development in the interests of the landscape character of the area in accordance with Policy CW4 of the Caerphilly County Borough Local Development Plan up to 2021.			
A scheme of landscaping and a programme for the provision of the landscaping shall be submitted to the Local Planning Authority for agreement within 1 month of the date of this permission. The agreed scheme of landscaping shall be implemented in accordance with the agreed programme. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. REASON: In order to ensure that the site is landscaped and is maintained in the interests of the landscape character of the area in accordance with Policy CW4 of the Caerphilly County Borough Local Development Plan up to 2021.	This is required in order to attempt to mitigate the landscape impacts of the development as set out in the Landscape Architect's comments. As stated at the appeal hearing, it is also necessary to consider whether any landscaping or land management is appropriate for the landscape character of the area given its SLA allocation.		

Within 1 calendar month of the date of this consent, a scheme for the protection of the existing trees and hedgerows including their root protection areas on the site shall be submitted for approval by the Local Planning Authority. The scheme must include a plan clearly showing the location and specification of the protective fencing to be used. The approved protective fencing must be installed prior to the commencement of any further works at the site and thereafter retained intact for the full duration of the construction works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority. REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.	The development is in close proximity to trees, with final locations of ancillary buildings to be approved.		
Within 1 calendar month of the date of this consent, a Biodiversity Strategy and programme for the implementation of the strategy shall be submitted for approval in writing by the	To ensure the biodiversity benefits detailed in the Ecological Appraisal are realised.		

Local Planning Authority. The agreed Biodiversity Strategy shall be implemented in accordance with the agreed programme. The strategy shall include: (a) Enhancement tree planting on the west of the site; to include numbers of trees, species, area to be planted, source for material and aftercare details. (b) Area for rewilding with an additional hedge/tree line separating the north of the field from the actively managed area. (c) Details of the planters with nectar-rich plants to be fitted to the roof of the existing building – location, number, size and species, including aftercare and management details. (d) Location and design of the 2(no) additional new ponds, including details of the planting, should it be required and details of aftercare and management of the ponds. (e) The areas to be overseeded with a wildflower mix, including identification of the areas, and the species mix.			

REASON: To secure mitigation, compensation and enhancement measures for biodiversity on site, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009).			
Within 1 month of the date of this consent a Water Safety Management Plan shall be submitted for the written approval of the Local Planning Authority. Within 3 months of the date of the approval of such details a report verifying that the development has been carried out in accordance with those details shall be submitted for the approval of the Local Planning Authority. REASON: In the interest of public health in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.	This is essential in order to ensure that an acceptable potable water supply can be provided. It should be noted that the water needed for the site should be obtained from the site and this should form part of the plan.		
Within 1 calendar month of the date if this consent, revised details of a scheme for foul drainage and programme for its installation shall be submitted for approval by the Local Planning Authority. Following approval, the foul drainage scheme shall be	The current foul drainage arrangement was not considered acceptable under application 25/0263/RET. Revised details of this are required to ensure the arrangement is fit for purpose.		

implemented in accordance with the programme of installation. The residential use hereby permitted shall cease and dwelling and structures associated shall be removed within 6 months of the date of failure to meet the programme of installation. REASON: To ensure the development is served by an appropriate means of foul drainage in accordance with Policy CW21 of the adopted Caerphilly Local Development Plan.			

Version	**Comments**	**Date**
1	LPA first draft submitted to appellants and PEDW	16/07/2026