

Ein cyf/Our ref: CAS-259246-L1W5  
Eich cyf/Your ref: 2023/01224/FUL

The Vale of Glamorgan Council  
Docks Office  
Barry Docks  
Barry  
CF63 4RT

Dyddiad/Date: 16 July 2024

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: TWO STOREY REAR EXTENSION**

**LLEOLIAD/LOCATION: WESTWINDS, ST. ANDREWS ROAD, DINAS POWYS**

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the above, which we received on 28 June 2024.

**We continue to have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding European Protected Species. If this information is not provided, we would object to this planning application. Further details are provided below.**

**European Protected Species**

The bat survey 'West Winds, Dinas Powys CF64 4AS Ecology' by Sunder Architects, dated June 2021 identifies the main building is used as a maternity roost by Brown Long Eared bat and Soprano pipistrelle and Serotine and Common pipistrelle day roost within the structure, Brown Long Eared day roost within the western garage, and Common pipistrelle day roost within the eastern garage building.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by us, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- There is no satisfactory alternative; and
- The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN 5) states your Authority should not grant planning permission without having satisfied itself the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

We have reviewed the Green Infrastructure Statement by Studionesh (undated); Plans, Elevations and Sections Stable Blocks drawing, Drawing Number PL-249, by Sunder Architects, dated Mar 2024; Ecology drawing, Drawing Number PL-113, by Sunder Architects, dated Jan 2024; and, Garage Plan & Elevations As Proposed drawing, Drawing Number PL-112, by Sunder Architects, dated Jan 2024.

We welcome the proposed mitigation and agree with the proposals in principle. However, we seek clarity on the points explained below. We advise you seek the inclusion of the following detail on amended mitigation development plans / architectural drawings for the proposal:

#### Carport Building

1. The bat mitigation loft is located within the western car port / garage as it is sited alongside a vegetated site boundary. The location to be clarified within the submitted plans and documents.

#### Crevice Access points

2. The location and nature of the crevice access points across the site to be provided on a plan for clarity. We advise access points are located away from windows and light sources as far as possible.

#### Stable Building

We welcome the mitigation enhancement within the stable building and advise the following amendments are included within the submitted plans:

3. The location of the letter box access point, and if it's being installed directly into the loft should be no higher than 400mm from the loft floor.
4. A reduction in size of the letter box access to 300mm length x 200mm height.

#### Further Advice

Please note if works are delayed beyond this season, updated surveys of the site in accordance with guidance, will need to be undertaken to support the planning application.

We advise a Licence application will need to be accompanied by a lighting plan to evidence access points will not be illuminated, and dark flight lines and commuting corridors are present to and from any mitigation provided.

We further advise due to the presence of a variety of species on site including two maternity roosts, breathable membrane will not be used within any building where access for bats has been provided, including within the main building.

#### Planning Informative

In line with the 'Dear CPO' letter issued by Welsh Government on 1<sup>st</sup> March 2018, we request the following informative is attached to any planning permission granted by your Authority:

***A European protected species (EPS) Licence is required for this development.***

*This planning permission does not provide consent to undertake works that require an EPS licence.*

*It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.*

*To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at [Natural Resources Wales / Apply for a protected species licence](#).*

Development should not be commenced until the Applicant has been granted a licence by us pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Please note, any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

### **Other Matters**

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

**Sarah Lund**

Cynllunio Datblygu Cynghorydd / Development Planning Advisor  
Cyfoeth Naturiol Cymru / Natural Resources Wales

E-bost/E-mail: [southeastplanning@cyfoethnaturiolcymru.gov.uk](mailto:southeastplanning@cyfoethnaturiolcymru.gov.uk)

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.