

**Biodiversity and Ecology
Planning Application Consultation Response Form**

	<p>To : MCC Development Management DM Officer : Kate Bingham</p> <p>Planning Application Number: 2021/00323 Site: Twyn Cecil</p> <p>Proposal: Proposed detached bungalow - amended design to extant planning permission ref DC/2013/00703.</p> <p>Date of formal consultation: 15/03/2021</p> <p>Type: Pre app / Outline / Planning Application / Reserved Matters / NMA /Householder/Discharge of Condition</p> <p>Version of response: 1</p> <p>Biodiversity Officer : Stacey Delbridge Date of response : 11/05/2021</p>	
	<p>The Biodiversity Team, in responding to the above application, provides the following substantive response:</p>	
	<p>No comment</p>	
	<p>No objection - Subject to Conditions and Planning obligations</p>	
	<p>Holding objection - Further information or clarification is required</p>	<p style="color: green; font-size: 2em;">✓</p>
	<p>Objection – on the grounds set out below</p>	
	<p>Ecological considerations</p>	
	<p>Insufficient information has been provided for the Local Planning Authority to consider the ‘Three Tests’ under the Conservation of Habitats and Species Regulations 2017 and appropriately fulfil our wider duties under that same legislation and the Wildlife and Countryside Act 1981 & Environment (Wales) Act 2016.</p> <p>Requesting Further information The LPA can direct the applicant to supply any further information reasonably necessary to determine any planning application (Article 4, town and Country Planning (Applications) Regulation 1988 (S.I. 1988/1812).</p> <p>It is essential that the presence or otherwise of protected species, and the extent that they may be</p>	

affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision (TAN5 paragraph 6.2.2).

The Biodiversity and Ecology Officer expresses a holding objection until such a time that the information needed for the LPA to make a lawful decision is submitted and found to be sufficient.

We note that part of the site sits within the boundary of the Twyn Cecil SINC designated as such for its neutral grassland quality.

We request up to date photographs of the site, including the adjacent area and pond. We need to assess the potential for impacts on protected species and priority habitats (grassland) as a result of the works and determine whether ecological survey will be required to inform the application.

From review of the proposed and existing site plans and views on street view there appears to be a number of trees that will be removed to facilitate the dwelling and the garage. In accordance with Policy NE1 we would expect trees and hedgerows to be retained wherever possible.

Policy NE1 – Nature Conservation and Development

Development proposals that would have a significant adverse effect on a locally designated site of biodiversity and / or geological importance, or a site that satisfies the relevant designation criteria, or on the continued viability of priority habitats and species, as identified in the UK or Local Biodiversity Action Plans or Section 42 list of species and habitats of importance for conservation of biological diversity in Wales, will only be permitted where:*

- a) the need for the development clearly outweighs the nature conservation or geological importance of the site; and*
- b) it can be demonstrated that the development cannot reasonably be located elsewhere.*

Where development is permitted, it will be expected that any unavoidable harm is minimised by effective avoidance measures and mitigation. Where this is not feasible appropriate provision for compensatory habitats and features of equal or greater quality and quantity must be provided.

Where nature conservation interests are likely to be disturbed or harmed by development proposals, applications must be accompanied by an ecological survey and assessment of the likely impact of the proposal on the species /habitats, and, where necessary, shall make appropriate provision for their safeguarding.

Development proposals shall accord with nature conservation interests and will be expected to:

- i) Retain, and where appropriate enhance, existing semi-natural habitats, linear habitat features, other features of nature conservation interest and geological features and safeguard them during construction work;*
- ii) Incorporate appropriate native vegetation in any landscaping or planting scheme, except where special requirements in terms of purpose or location may dictate otherwise;*
- iii) Ensure the protection and enhancement of wildlife and landscape resources by appropriate building design, site layouts, landscaping techniques and choice of plant species;*
- iv) Where appropriate, make provision for on-going maintenance of retained or created nature conservation interests.*

- *Superseded by Section 7 (Environment Wales Act 2016)*

Biodiversity Net Benefit

We welcome the inclusion of bat enhancements, as was the requirement set out in the consent of 2013/00703, detailed on the site block plan. We have a few amendments/clarifications we would like to be addressed prior to determination.

-Please could the bat box situated on the southern gable end of the property be marked on the elevation plans as per the counter batten annotation.

-Please can the applicant confirm Ibstock Type C will be used on the building, we note that there are other similar options that are cheaper and would be acceptable (see alternatives on link below).
[Ibstock Enclosed Bat Box 'C' | NHBS Practical Conservation Equipment](#)

-Please could it be confirmed that the access provided on the garage will not allow access to any breathable membranes, only Bitumen Type 1F felt should be used where bat access is provided.

-The type of bat box suggested on the tree at the northern corner and within the hedgerow are not appropriate, furthermore bat box installation in hedgerows is inappropriate, the applicant could consider bird boxes instead within this area, such as an open fronted robin/wren box.

For installation on suitable trees we would recommend bat box types such as:

<https://www.nhbs.com/low-profile-woodstone-bat-box>

<https://www.nhbs.com/2f-schwegler-bat-box-general-purpose>

1&2 Twyn Cecil

We also note from the planning statement and the block plans that two dwellings will be formed as one, whilst I note that no external works are to be undertaken, we seek clarification the extent of internal works as if there is potential for bat roosts to be present, then internal alterations could result in disturbance of bats.

We will require a Part A form and photographs of the building/s affected by the alterations to assess the potential for bats.

Summary of requirements prior to determination

- Photographic assessment of the site (to inform need for Ecological assessment)
- Clarification on Bat enhancement details
- Part A and photos of 1&2 Twyn Cecil (to be converted to single dwelling)

NOTES TO APPLICANT

Informative notes

Please note that Bats and their roosts are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This means that it is illegal to damage, destroy or disturb bats or their roost sites protection includes bats and places used as bat roosts, whether a bat is present at the time or not.

Bat boxes

Bat boxes are more likely to be used if they are located where bats are known to feed. Ideally, several

boxes should be put up facing in different directions on sunny aspects to provide a range of warm conditions. Boxes should be put as high as possible to try and avoid predation from cats on the ground or nearby structures. Bats use dark tree lines or hedgerows for navigation, so putting boxes near these features could help bats find the box.

In summary, locate boxes:

- Where bats are known to feed and navigate (close to hedges and tree lines);
- Ideally at least 4m above the ground (where safe installation is possible);
- Away from artificial light sources (to protect them from predation); and
- Sheltered from strong winds and exposed to the sun for part of the day (usually south, south-east or south-west).

Bats need time to find and explore new homes, and it may be several months or even years before boxes have residents – be patient! Once bats find a place they want to live they can return over and over again. Droppings on the landing area, urine stains around the lower parts of the box and chittering noises from inside on warm afternoons and evenings are signs of occupation.

Please note, as bats are vulnerable to disturbance and fully protected under UK law, boxes must only be opened by a licensed bat worker.

Bats – when roosts likely to be present in the future

Given the potential for bats to roost within the building in future, it would not be appropriate for breathable roofing membranes to be used anywhere in the building. This is due to the risk of bats becoming entangled in the membrane fibres and dying, and of oils from bat fur damaging the membrane and preventing it from breathing, causing future maintenance issues. Only traditional Type 1F bitumen felt reinforced with hessian is suitable for use in bat roosts (to BS 8747:2007).