



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: **CAS-28498-Q5L6**
Eich cyf/Your ref: **2014/00995/FUL**

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The Vale of Glamorgan Council
Development Control
Docks Office
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14 February 2017

Annwyl Syr/Madam / Dear Sir/Madam,

CHANGE OF USE OF AGRICULTURAL LAND TO RESIDENTIAL DEVELOPMENT (C3) INCLUDING DEMOLITION OF A DISUSED BUILDING AND THE DEVELOPMENT OF 64 RESIDENTIAL DWELLINGS, PUBLIC OPEN SPACE, LANDSCAPING, HIGHWAY IMPROVEMENTS AND ASSOCIATED ENGINEERING WORKS AT LAND ADJACENT TO LLANTWIT MAJOR BYPASS, BOVERTON.

Thank you for consulting us on the above application, which we received on the 19 January 2017.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. Otherwise, we would object to this planning application.

Summary of Requirements and Conditions

Requirement: The proposed layout is revised to provide a minimum 5 metre buffer zone from the development to all boundary hedgerows and trees. Without this the development proposal is likely to contravene the protection afforded to Dormice.

Condition1: A long term habitat management and species monitoring plan, to ensure the favourable management of mitigation habitats on site, is secured to any permission granted.

Condition 2: A lighting scheme, which ensures wildlife corridors/mitigation habitats are not illuminated, is secured to any permission granted.

We have reviewed the following submitted information:

- 'Dormouse Survey, Boverton, Vale of Glamorgan for Barratt Homes South Wales Project No: ABAW105/006' dated June 2016 by Thomson Ecology;
- 'Land adjacent to Llantwit Major Bypass Boverton. Dormouse Mitigation Strategy. On behalf of: Barratt Homes, South Wales. Report Reference: EDP3775_01b' dated December 2016, Prepared by: The Environmental Dimension partnership Ltd (EDP);
- Drawing No. EM-03 Rev B, 'Ecology Masterplan' by Hammond Architectural Ltd, and;
- Drawing No.s: EDP 3775/01 – EDP 3775/05 – Detailed Soft Landscape Plans 1-5

Requirement

We note from the survey report that dormice have been recorded on the application site. We also note the intention to retain all boundary hedgerows and trees, and proposals to include buffers to these boundary features as illustrated on the ecological masterplan and soft landscape drawings.

The dormouse mitigation strategy states that these buffers are a minimum of 2m wide, however, the ecological masterplan and landscape drawings indicate that the width varies from between 0.6m to 7.6m.

In order to minimise the impact on Dormice and to satisfy the requirement that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range' we advise that all buffers are increased to 5 metres so to ensure their long-term viability. The buffer zones must not include the curtilages of the proposed dwellings and must be free from development.

If the above requirement is satisfactorily addressed, we advise the following conditions are secured on any planning permission granted to overcome our concerns in relation to other Dormouse matters.

Condition 1

We advise that your Authority agree in writing, before the commencement of works, a long term habitat management and species monitoring plan, to ensure the favourable management of mitigation habitats on site. The plan should include but not exclusively a description of habitats to be managed and their desired condition, the nature of management operations required to deliver and maintain the desired condition; appropriate scheduling and timing of activities; proposals for on-going review of management as informed by a protected species monitoring scheme.

Condition 2

We advise your Authority agree in writing, before the commencement of works, a lighting scheme, which ensures wildlife corridors/mitigation habitats are not illuminated.

Legislation and Policy

As you are aware, dormice are European Protected Species, protected by The Conservation of Habitats and Species Regulations 2010.

Where a European Protected Species is present and a development proposal is likely to contravene the protection afforded to these species, development may only proceed under a licence issued by Natural Resources Wales (NRW), having satisfied three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.' These requirements are translated into planning policy through Planning Policy Wales (PPW) November 2016, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. The planning authority should take them into account when considering development proposals where a European protected species is present.

Please note, if further information is provided to satisfy the above, it may then be necessary to request further conditions to avoid / mitigate any environmental effects.

European Protected Species Licence

The applicant will require a European Protected Species licence from Natural Resources Wales under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon a European Protected Species. Please note that the granting of planning permission does not negate the need to obtain a licence. For further information on applications and enquiries please contact the Species Team via email on specieslicence@naturalresourceswales.gov.uk.

Other Matters

Our comments above only relate specifically to matters that are included on our checklist Natural Resources Wales and Planning Consultations (March 2015) which is published on our website at this link (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

If you have any further queries, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Lindy Barratt

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