

Steven Rennie

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

21 February 2017

Annwyl Mr Rennie/Dear Mr Rennie

**RESIDENTIAL DEVELOPMENT OF UP TO 300 UNITS AND ASSOCIATED WORK,
INCLUDING THE PROVISION OF PUBLIC OPEN SPACE AND STRATEGIC ACCESS
POINTS AT LAND OFF COWBRIDGE ROAD, ST ATHAN**

Thank you for consulting us regarding the above application which we received on 16 December 2016. Please accept our apologies for the delay in responding to you.

We provided pre-application advice to the applicant in a letter dated 16 November 2016. We have reviewed the submitted Pre-Application Consultation Report supporting this application.

The applicant has submitted information which addresses some significant concerns identified in our pre-application letter. However some concerns remain, therefore we recommend you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below.

Summary of Requirements and Conditions

Requirement 1 – Further information is required to demonstrate that the proposal will not be detrimental to the favourable conservation status of Dormouse, a European Protected Species.

Condition 1 – Lighting plan/scheme is agreed which ensures wildlife corridors/mitigation habitats are not illuminated

Condition 2 – No development is located within the fluvial flood outlines of the Nant y Stepsau

Please note that the list of conditions above should not be considered exhaustive; if further information is provided to satisfy the requirements, it may then be necessary to request further conditions to avoid / mitigate other environmental effects. Further details in relation to each requirement and condition is given below.

Dormice Requirement

The Dormouse Survey report (interim report) prepared by TerrAqua Ecological Services Ltd concludes that no full conclusions can yet be drawn due to the continuing survey which will extend into spring (April and May) 2017. We note that no evidence of dormouse activity has been recorded during the four months of survey effort to date of the report, however, at this stage, we cannot rule out impacts from the proposed development upon dormice until the survey is complete. The results of the survey should be used to inform appropriate and specific mitigation proposals for dormice, if evidence is found.

We therefore recommend the submission of the completed dormouse survey report prior to the determination of the planning application. On receipt of the further information we can provide advice on impacts to dormice and whether it has been demonstrated that the proposal will not be detrimental to the species favourable conservation status. We advise, however, that in order for the survey results to cover a full survey season, the tubes are also checked in June and July (2017).

If your Authority are minded to determine this application prior to the applicant completing the dormouse surveys (i.e. before July 2017), then please notify us so we can provide you with further advice on Dormice.

Condition 1 – European Protected Species (Lighting Plan)

The Masterplan for the proposed development indicates that buffers will be maintained around important corridors, for example the riparian watercourse corridor and retained hedgerows. In our pre-application letter we advised that sensitive lighting of the site will be crucial to ensure these corridors will be kept dark. No information has been submitted in relation to this so we recommend that a condition is included on any planning permission granted. The condition should ensure details of a lighting plan/scheme which outlines how wildlife corridors within the site and any mitigation habitats are not illuminated. This should be submitted prior to the commencement of development.

Condition 2 – Flood Risk

We note that the proposed development is located partially within DAM Zone C2 as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15). Our flood map, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the Nant y Stepsau, which is a designated main river.

We note from the masterplan that there is no proposed development within the predicted flood outlines (it has been designated as informal open space). We recommend a condition is attached to any outline planning permission granted that ensures that no

proposed development other than open space is proposed within the predicted flood outlines.

Great Crested Newts

In our pre-application letter we required further information from the applicant to demonstrate that the proposal will not be detrimental to the maintenance of the favourable conservation status of Great Crested Newts (European Protected Species).

The pre-application consultation report states that Great Crested Newts (GCN) are known to be present within the wider area, some 900m from the survey area and there are no potential breeding grounds within the proposed site boundary. The Extended Phase 1 Habitat Survey report, August 2016, states that overall the site is considered to be of low to moderate value with regard to amphibian species. Therefore we are satisfied with the justification from the applicant that no further survey work is necessary. However, it is possible GCN are using terrestrial habitats such as the existing hedgerows but we note the masterplan indicates boundary hedgerows are to be retained.

Foul Drainage

In our pre-application letter we noted that the planning application form stated that foul sewage will be disposed of via a private treatment plant while section 5 of the Flood and Drainage Statement stated DCWW have accepted a connection to their network for foul drainage. We required the applicant to confirm the proposed means of foul disposal from the development.

It now appears from the pre-application report that all foul waters will be disposed to the public mains sewer.

Further Advice to LPA

We refer you to the following advice in your determination of this application.

Rare Arable Plants

This site is considered one of the top arable plant sites in Wales, especially for the population of Corn Buttercup and Shepherds Needles. You will be aware that we raised this matter with you during various stages of the local development plan (LDP). In our response to the Focussed Changes consultation, we advised that our concerns were satisfied on the basis of the landowner's conservation management strategy (LDP document SD69). We recommended that any planning application is informed by the strategy and proposals put forward at that time.

The site is proposed as an allocation in the draft LDP and we note from the latest further Matters Arising Changes (February 2017) schedule that the site has been identified to supply up to 255 dwellings over the plan period. This is a reduction from an initial 300 dwellings based on the conservation management strategy's recommendation to keep this area undeveloped to conserve the rare arable plants.

The submitted Planning Statement (4.18 - 4.25) for the outline application is stating that no evidence was found that the plants have survived the change on site from an arable use to

grassland. It therefore argues that the site can accommodate 300 dwellings on the basis that there is no need to retain the land proposed to be left undeveloped for conservation purposes.

We advise you, however, that it cannot be confirmed whether the plants have survived or not. The fields would require cultivating (probably deep ploughing) to confirm this. It is our opinion that the fields do hold a viable seed bank for these plants and that there is an opportunity to ensure these plants survive.

Therefore we advise the conservation management strategy recommendations are implemented or the Applicant agree other suitable measures with your Authority to ensure the plant species continue to populate these fields.

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.

We trust our advice is clear. If you have any queries, please do not hesitate to get in touch.

Yn gywir/Yours faithfully

James Davies

Senior Development Planning Advisor / Uwch Ymgynghorydd Cynllunio Datblygu

Cyfoeth Naturiol Cymru/Natural Resources Wales
Ffôn/Tel: (03000) 653033

E-bost/E-mail

james.davies@cyfoethnaturiolcymru.gov.uk james.davies@naturalresourceswales.gov.uk

Gwefan/Website:

www.cyfoethnaturiolcymru.gov.uk/www.naturalresourceswales.gov.uk