

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

Ebost/Email:
southeastplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 0300 0653098

Dyddiad/Date: 23 May 2019

Annwyl Syr/Madam / Dear Sir/Madam

ERECTION OF EXTENSIONS TO THE SCHOOL FOR A NEW SPORTS BLOCK WITH LINK TO EXISTING BUILDING; DESIGN AND TECHNOLOGY BLOCK; NEW RECEPTION AREA; CREATION OF A PLANT ROOM; NEW MUGA AND 3G ALL-WEATHER PITCH AS WELL AS EXTERNAL ALTERATIONS TO THE FACADE TREATMENT AT YSGOL GYMRAEG BRO MORGANNWG, COLCOT ROAD, BARRY, CF62 8YU

Thank you for referring the above application, which we received on 11 January 2019.

We have no objection to the application as submitted.

We received a statutory pre-application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 21 February 2019, reference CAS-78092-H9C8.

We note the difference in the description of the proposed development in comparison to the statutory pre-application consultation and also the submission of an updated Bat Roost Survey Report, V2, by AECOM, dated 15 April 2019 in support of the application.

We have no objection to the application as submitted based on the information submitted but request your Authority (LPA) attach an informative to any planning permission granted as explained below.

We have considered the Bat Activity Survey Report, V2, dated April 2019 by AECOM Ltd and the Preliminary Ecological Appraisal, dated July 2018 by AECOM Ltd and note that they have identified that bats are present at the application site.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). 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 Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

i. 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. ii. There is no satisfactory alternative and, iii. 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 (TAN5) states that your Authority should not grant planning permission without having satisfied itself that 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.

On the basis of the above reports, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Therefore, we would not object to the proposal but in line with the 'Dear CPO' letter issued by Welsh Government on 1st March 2018, we would request that the following informative is attached to any planning permission granted by the LPA:

Warning: 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 <https://naturalresources.wales/permits-and-permissions/protected-specieslicensing/european-protected-species-licensing/information-on-european-protectedspecies-licensing/?lang=en> .

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

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

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

Yn gywir / Yours faithfully

Mrs Claire McCorkindale
Ymgynghorydd Cynllunio Datblygu/Development Planning Advisor