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**Ein cyf/Our ref: CAS-94981-X1Z6  
Eich cyf/Your ref: 2018/01408/FUL**

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The Vale of Glamorgan Council  
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9 August 2019

Annwyl Syr/Madam / Dear Sir/Madam

**Proposed demolition of existing school, development of 48 dwellings (43 flats and five houses) and associated works at Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge**

Thank you for your e-mail dated 19 July 2019 providing additional information submitted in support of the application.

We continue to 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 requirement. We would object if the scheme does not meet this requirement.

**Requirement-** European protected species - further information is required to demonstrate the proposal will not be detrimental to the maintenance of the favourable conservation status of Bats, a European protected species.

**Bats (European Protected Species)**

Three documents were provided to us:

- 2019-01-25 NRW Response to application submission – SBE Response (1).rtf
- 2019-07-08 NRW Response - annotated by SBE.rtf
- Hafod Housing Association, Cowbridge School, Aberthin Road, Vale of Glamorgan - Hibernation survey – Addendum Report, March 2019

The 1<sup>st</sup> document is a copy of our 25/01/19 response letter to the LPA, annotated with queries and comment. This has previously been sent to us and was discussed with Solstys Brewster on 11/03/19. The discussion included survey options to address NRW's letter and allow assessment. A follow-up summary email was sent on the same day to Solstys Brewster and the LPA. Therefore, no specific comment on this document is provided here.

The 2<sup>nd</sup> document is a copy of our 25/01/19 response letter to the LPA, annotated with what appears to be internal discussion of Soltys Brewster. There appears to be nothing in the document that is a clear proposal of the applicant or that satisfies the matters we raised in our letter. We have no further comment on this document.

We have reviewed the Hibernation survey – Addendum Report, March 2019 which confirms use of the site by lesser horseshoes, myotis bats and pipistrelles as a hibernation roost. The report recommends additional mitigation is provided to address this use, but no details have been provided. In addition, the drawing of the proposed bat house in appendix VII has not been amended to reflect our previous comments or the conclusions of the report.

The report also details potential roost feature assessment of trees on site, which confirms that all trees on site had negligible or low potential for roosting bats. As such we have no further comments to make with regard to bats and trees.

The report also confirms the status of the hibernation roost under the A48 and concluded that the development ‘will not have any detrimental impact on this roost’. We are satisfied that the information provided in this report has addressed our concerns with respect to this point.

However, there continues to be insufficient information provided to demonstrate the proposal will not be detrimental to the maintenance of the favourable conservation status of Bats, a European protected species. As currently presented we do not have sufficient information to provide you with advice on the bat mitigation proposed and the matters raised in our letter of 25 January 2019, reference CAS-74912-Q4M1 have not yet been fully addressed, as follows;

Further bat survey will be necessary to allow assessment of the likely effects on bats and appropriate mitigation. Options were discussed with the applicant on 11 March 2019, including further summer survey/assessment of lesser horseshoe usage and flightlines that would be needed to address our view that the current proposed lesser horseshoe bat mitigation roost location is inappropriate. It was indicated to us in that discussion that Soltys Brewster were likely to provide further evidence and justification for ruling out use of the site by a maternity colony of lesser horseshoe bats, as opposed to undertaking summer survey. However, neither summer survey, nor a justification has been provided and the March Hibernation report indicates in Section 4.10 that “*Timings of previous surveys mean that it is currently not possible to rule out or confirm use of the building for maternity purposes*”. Therefore, there is currently insufficient information for assessment.

- Further to our previous comments, we note that the applicant has added dimensions to the drawings of the proposed bat roost in appendix 6 of the Bat Survey Report, produced by Soltys Brewster, dated December 2018. However, we note that the Proposed bat roost plan with the application has not been updated in line with this. It should be ensured in any final roost proposal that dimensions are included and that documentation matches. However, our position remains that there

is insufficient survey provided to allow assessment of mitigation proposals. But, we advise that a detailed mitigation strategy would need to be submitted in support of any planning application. Mitigation should be appropriate and proportionate to the bat species and roost types on site.

- Notwithstanding the above point, we are unlikely to agree to a bat house being cited in the current proposed location as it would be subject to isolation from the wider environment and vulnerable to disturbance. Any bat house being provided on site should be located at the northern end of the site which is better connected to the wider countryside. The proposals should include security measures for the building, such as fencing, to prevent unauthorised access by people, or access by predators.
- As stated in our previous response letter, where a bat house has been created as mitigation for the loss of a lesser horseshoe maternity roost, evidence would potentially need to be submitted indicating the bat house is being used in this capacity prior to any works being permitted to the existing roost. This needs to be taken into account in the development timescales and mitigation proposal.
- Whilst we welcome the submission of a landscaping plan, we note that a lighting plan has not been submitted with the application. A lighting plan should look to reduce lighting over the site as a whole and avoid lighting completely in proximity to the bat house and the boundaries of the site, ensuring that a vegetated dark corridor would be maintained to the bat house which connects to the wider landscape. The plans should also include; the type of luminaire (including the exact specification), the location and height of the luminaire. Due to the presence of several light intolerant species of bat on site we advise that this information will need to be provided prior to planning permission being given.

Whilst we note that additional survey work has now been carried out in the winter period, the results of this additional survey work have not been used to inform the mitigation strategy for the site. In our discussions with the Soltys Brewster and as detailed in our email of 11 March 2019, we understood that further evidence and justification was to be provided as a more comprehensive package to address the matters we had raised. Whilst this has not been the case in this instance, we hope that a future submission is able to address all of the above remaining matters together, suitably robustly, to allow the assessment of bat usage and the appropriate mitigation provision to be concluded.

We would be pleased to review our position and provide further advice when consulted on the information specified above.

## **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.

If you have any further queries, please don't hesitate to contact us.

Yn gywir / Yours faithfully

**Claire McCorkindale**

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