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05/01/2023

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: Re-roofing of the south stables, coach house stables and coach house, to relay the slate roof, provide new ridge details, eaves boards and gutters. Insert conservation rooflights

LLEOLIAD / LOCATION: Pandy Farm, Brecon Road, Merthyr Tydfil CF47 8PA

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 9 December 2022.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding European Protected Species (Bats). If this information is not provided, we would object to this planning application. Further details are provided below.

European Protected Species (Bats)

We welcome the submission of the following documents in support of the above application:

- Drawing 3-0110 '*Pandy Farm. Existing Location and Site Plan*' by Rural Office dated 26/10/22;
- Drawing 3-0111 '*Pandy Farm. Existing and Proposed Elevations*' by Rural Office dated 26/10/22;
- Drawing 3-0115 '*Pandy Farm. Proposed Elevations 01*' by Rural Office dated 26/10/22;
- Drawing 3-0116 '*Pandy Farm. Proposed Elevations 02*' by Rural Office dated 26/10/22;
- Drawing 3-0117 '*Pandy Farm. Existing and Proposed Sections*' by Rural Office dated 26/10/22;

- Drawing 3-0118 '*Pandy Farm. Proposed Details Sheet 01*' by Rural Office dated 26/10/22;
- Drawing 3-0119 '*Pandy Farm. Proposed Details Sheet 02*' by Rural Office dated 26/10/22;
- Pandy Farm, Merthyr Tydfil. Bat Report (Report Ref 1703/02a) by Ecology Planning dated 2/12/22

We note that the buildings proposed for re-roofing support non-breeding roosts of pipistrelle and whiskered/Brandt's bats.

European Protected Species: Legislation and Policy

All species of British bats are European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2017. Legal protection relates to the animals themselves and the places they use to rest and breed.

Where a European Protected Species is present and 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. 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) dated February 2021, sections 6.4.22 and 6.4.23, 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.

Bats

We welcome that bat surveys of the site have been carried out and note the results of those surveys.

Further to the comments that the LPA Ecologist has made on the application (dated 9/12/22) it appears that the submitted bat survey report has addressed some of the concerns raised. Whilst we are satisfied that the proposed mitigation will be sufficient to mitigate the impacts of the proposals on crevice dwelling bat species, there remains a query regarding the bat droppings found in building G (referenced in para 3.33 and shown on Appendix 2 of the bat survey report), specifically whether any mitigation provision is also required for species that roost in voids. We note that the results of DNA analysis of the droppings are awaited.

In order to comment further on the proposals we advise that the following further information is submitted to support the application:

- i. The results of the DNA analysis of the droppings found in building G and, if the DNA analysis indicates the presence of void species, the submission of amended mitigation proposals to ensure that appropriate mitigation is also provided for the relevant species; and

- ii. Clarification of the extent of the listed status of the buildings, including whether it includes building E;

Therefore, we consider that there is insufficient information with the application to confirm the likely impacts of the proposals on bats and confirm that the proposals are unlikely to result in a detrimental impact to the maintenance of the favourable conservation status of the population(s) of bat species concerned.

We would be pleased to review our position and provide further advice when consulted on the information specified above. We advise that the above information is provided to inform the determination of the application.

European Protected Species Licence

Notwithstanding the above, we advise that the applicant seeks a European Protected Species licence from Natural Resources Wales under Regulation 55 of The Conservation of Habitats and Species Regulations 2017 before any works on site commence that may impact upon bats. Please note that the granting of planning permission does not negate the need to obtain a licence.

We note the proposals to use breathable roofing membrane (BRM) and take this opportunity to advise the applicant that NRW will not license the use of BRM in areas dedicated for use by bats.

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.

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

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

Yn gywir / Yours faithfully

Claire McCorkindale

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