
From: Davies, Matthew (Planning)
Sent: 23 November 2021 17:51
To: Cross, David
Subject: RE: P/21/0291 Pontygwaith farm - Conversion of stables to bedrooms [NOT PROTECTIVELY MARKED]
Attachments: P210291_4.pdf

Classification: NOT PROTECTIVELY MARKED
Classification: **NOT PROTECTIVELY MARKED**

Hi Dave

See attached for final comments.

Cheers

Matt

From: Cross, David
Sent: 23 November 2021 14:55
To: Davies, Matthew (Planning)
Subject: FW: P/21/0291 Pontygwaith farm - Conversion of stables to bedrooms [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED
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Hi Matt,

I have just received the updated bat survey report for the above mentioned application (Ref P/21/0291). It now clarifies the a bitumen felt will only be used and not any breathable membrane. I assume you are now ok with this?

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer
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From: denis.canney@sky.com <denis.canney@sky.com>
Sent: 23 November 2021 14:50
To: Cross, David <David.Cross@merthyr.gov.uk>
Subject: P/21/0291 Pontygwaith farm - Conversion of stables to bedrooms

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Good afternoon David,

As requested please find attached version 2.2 of the Ecology report. The ecologist has highlighted in yellow the changes for ease of reference. Hopefully, this is to the satisfaction of your ecologist, however if there are further outstanding matters to be addressed please let me know.

With regards,

Denis

INTERNAL MEMORANDUM

To: David Cross
From: Matt Davies (Ecologist)
Ext: 5278
Memo number: 4
Date of Memo 2: 19/11/2021
Date: 23/11/2021

SUBJECT: P/21/0291 | CONVERSION OF STABLE BUILDING TO BEDROOMS | PONTYGWAITH FARM PONTYGWAITH TREHARRIS CF46 5PD

Documents submitted in support of the above application (NB Document 2 is an updated version following previous comments/queries in memo #1, dated 23/08/21):

1. Pontygwaith Farm, Treharris. Preliminary Bat Roost and Nesting Bird Assessment and Walkover Survey of Area Proposed for New Store. Acer Ecology. Revision 1.0, dated 22/01/21.
2. Pontygwaith Farm, Treharris. Bat Survey Report. David Clements Ecology Ltd. v 2.2, dated 22/11/21.

The following planning conditions will be added to the decision notice (should planning be granted):

1. The development will be undertaken in accordance with Document 2.
2. A lighting plan will be required demonstrating: the dark corridors and lighting levels as set out in Document 2; and compliance to the following guidelines: <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/> Written approval of the plan will be required from the LPA ecologist in order to discharge the condition.

As the building is a confirmed bat roost, and is suitable for nesting birds the following informative will be used within the decision notice (if planning is granted):

BATS

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 kill, injure, capture or disturb a bat or to recklessly 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 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/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>

NESTING BIRDS

All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

In addition, MTCBC (as the competent authority for planning) have a duty to assess whether NRW are likely to grant a derogation licence and so will need to apply the three licensing tests (as set out within the Habitats and Species Regulations 2017):

1. A licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. The appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.
3. The appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

I am happy that the measures as supplied would pass test 3. David – you will need to apply the tests 1 & 2.