

INTERNAL MEMORANDUM

To: Rebecca Owens
From: Matt Davies (Ecologist)
Ext: 5278

Memo number: 4

Date of previous memo: 11/07/2024

Date: 25/07/2024

SUBJECT: P/23/0251 | Erection of extension to link rugby club building with existing shower block and other associated alterations | Dowlais Rugby Club Blaen Dowlais Dowlais Merthyr Tydfil CF48 3RB

Documents submitted in support of the above application:

1. Dowlais Rugby Football Club, Blaendowlais, Dowlais, Merthyr Tydfil. Bat Preliminary Roost Assessment 2023. East Ecology Ltd. Revision 1.0. Date Issued 05/12/2023.
2. Dowlais Rugby Football Club, Blaendowlais, Dowlais, Merthyr Tydfil. Bat Survey report. Ecological Services Ltd. **Version V2.0**. Date July 2024.

COMMENTS

The changing room block has been confirmed as a maternity roost for common pipistrelle bats.

Works must therefore be undertaken outside of the maternity and the hibernation season. The roost must be retained as it currently exists, e.g., gaps under bargeboards and access to the roosting space.

For the works to be undertaken within the law, a derogation licence from Natural Resources Wales (NRW) will be required.

The following informative/advisory notes will be added to the decision notice:

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/structures 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.

A lighting plan is required. This ideally would be submitted prior to development, but could also be secured via an appropriately-worded planning condition. NB all conditions related to bats will need to be discharged before applying for the NRW derogation licence.

Suggested wording of planning condition.

No development shall take place (including ground works, vegetation clearance) until an internal and external Lighting Scheme has been submitted to and approved in writing by the local planning authority. The Lighting Scheme will be required to minimise any external light disturbance to the bats using the building and surrounding area. Any new external lighting must not directly illuminate any roosting location (existing/retained/new). The Lighting Scheme must conform to the latest guidance for wildlife-friendly lighting.

There will need to be enhancement of the site in line with the Environment (Wales) Act 2016.

All enhancements (bat box and bat-friendly tree planting) must be clearly marked on all relevant architect plans/drawings/elevations prior to determination.

The commissioned ecologist must take PPW 12, Chapter 6 into account where relevant to this application.

The main changes to policy (that are or may be relevant to this application) are as follows:

Green Infrastructure: *stronger emphasis on taking a proactive approach to green infrastructure, the submission of a proportionate green infrastructure statement with planning applications and signposting Building with Nature standards.*

Net Benefit for Biodiversity and the Step-wise Approach: *further clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. The use of the green infrastructure statement as a means of demonstrating the stepwise approach is made explicit. A simplified diagram of the policy approach has been developed (which will be further refined in the consolidated version of PPW12). The importance of strategic collaboration to identify and capture larger scale opportunities for securing a net benefit for biodiversity is recognised.*

Trees and Woodlands: *closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right tree in the right place.*
