

DATE WRITTEN	30th September 2024
REPORT AUTHOR	Judith Jones
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COMMITTEE	Planning and Regulatory
COMMITTEE DATE	9th October 2024

Application No. P/24/0093	Date 20th September 2024	Determining Authority MTCBC
Proposed Development	Location	Name & Address of Applicant/Agent
Outline Planning Permission for construction of four new dwellings and associated works	Land adjacent to 36 Hylton Terrace Bedlinog Treharris CF46 6RG	Mr Grace c/o Mr Christopher Brimble Arden Kitt Associates Limited 7 Warren Drive Caerphilly CF83 1HQ



Councillor Michelle Symonds has requested that this application be reported to Committee to consider the concerns of local residents.

APPLICATION SITE

The application relates to a parcel of undeveloped land located within the settlement of Bedlinog. The site is within the settlement boundary and is located between a terrace of residential properties and a school, bound to the front by a highway and to the rear by a lane. The site is overgrown and covered with various vegetation and there are also a number of trees. The profile of the site slopes steeply from the front to the rear with the rear lane occupying a higher level than the front of the site.

PROPOSED DEVELOPMENT

Outline planning permission is sought for residential development of the site with all matters reserved.

However, in accordance with the legislative requirements for an outline planning application, indicative site layouts have been submitted suggesting the possible position of four dwellings and access. The drawings indicate that the proposed dwellings could be constructed as a terrace and sited to the south west of the site where they would follow the front building line of the existing residential terrace at Hylton Terrace (located to the north west of the site). Access could be gained from the highway of Hylton Terrace located to the front of the site.

The scale parameters provided state that the proposed terrace of dwellings would be between 9m and 11m in height, 29.5m in width and between 6m and 6.5m in depth (with a maximum depth at ground floor level of 9.5m to allow for parking to be incorporated under the garden level).

PLANNING HISTORY

The relevant planning history is summarised below:

- | | |
|-----------|---|
| P/05/0394 | Four-bedroom detached dwelling (Plot B)
Granted planning permission subject to conditions 21 November 2005 |
| P/05/0393 | Four-bedroom detached dwelling (Plot A)
Granted planning permission subject to conditions 21 November 2005 |
| P/04/0604 | Renewal of outline consent ref: P/01/0391 Residential Development
Granted outline permission subject to conditions 13 January 2005 |
| P/01/0391 | Residential development (Outline)
Granted outline permission subject to conditions 20 November 2001 |

CONSULTATION

The following bodies were consulted, and their responses are presented below:

Engineering and Highways	No objection subject to conditions
Planning Policy	No objection
Ecologist	No objection subject to conditions
Environmental Health	No objection subject to conditions
Bedlinog and Trelewis Community Council	No response
Dwr Cymru Welsh Water	No objection subject to condition

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties and a site notice was displayed within the vicinity of the site.

Six letters of objection were received following this publicity exercise. The main points raised within these are summarised below:

- It is noted that the area is congested particularly as a result of school traffic including buses. In addition, a large proportion of the staff travel to the school as they are unable to use public transport. There is an existing issue with parking and the new dwellings, driveways and construction vehicles would add to this.
- The highway is narrow and as a result of double parking and large vehicles travelling along the road, people regularly have to reverse down the street. Building works and large vehicles associated with this will take up space and may have to park on pavements obstructing pedestrian access. They may also impede access for buses impacting on the local bus service and the residents who use them. It's also questioned how traffic will be controlled.
- The proposal in addition to existing issues with parking and the busy highway would make it more dangerous for children walking to and accessing the school and pre-school. It would also involve vehicles crossing the pavement used by pupils to access the school.
- The design of the homes isn't in keeping with the existing style of houses in the area and will look out of place.
- Bedlinog is a small close-knit community and there is concern that new development will turn the village into a new housing benefit market which is not wanted or needed.
- What construction safety plans are there are to ensure that works taking place close to the school would not become a health and safety issue.
- There is a range of wildlife and biodiversity using the area and questions over how this will be overcome.
- No consultation has been undertaken with the local community and particularly the school to look at mitigating the impact on their operations.

- How would the development of four dwellings with associated cars and building machinery not impact on the air quality of the local pupils.
- Where would spoil material from the site be tipped as it was previously an area of tipped refuse waste and may need to be segregated.
- Piling undertaken as part of the development would undermine the walls of the properties on either side.
- The development may impact on flooding as the land currently allows water to drain through it.
- The building work may well have a detrimental effect on old buildings nearby.
- Noise from construction works would impact on children in the school with additional needs.

An additional publicity exercise was carried out relating to additional information provided by the applicant that clarified issues relating to the scale of the proposed dwellings. This exercise did not finish until after this report was published. If any responses to this consultation were received, they shall be reported verbally to the Planning Committee.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024) is relevant to the determination of this planning application. The following paragraphs are identified as being of particular importance:

- Paragraphs 3.3 to 3.13 set out the principles of good design. Specifically Paragraph 3.3 states that *'Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area'*. In addition, in reference to character, Paragraph 3.9 states that *'The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations'*
- Paragraph 3.55 identifies a preference to the use of previously developed land over greenfield sites. It also notes that *'In settlements, such land should generally be considered suitable for appropriate development where its re-use*

will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development' Paragraph 4.2.18 goes on to state that *'Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites'*

- Paragraphs 4.1.50 – 4.1.55 refer to car parking, with 4.1.51 noting “A designed approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development”.
- In regard to Biodiversity and ecology, paragraph 6.4.3 states *'The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement'*. Paragraph 6.4.15 also outlines the step-wise approach.

These policies are supplemented by guidance contained in the following Technical Advice Notes:

- TAN 5: Nature Conservation and Planning
- TAN 12: Design
- TAN 18: Transport

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031 are relevant to the determination of this application:

- SW1 Provision of New Homes
- SW2 Provision of Affordable Housing
- SW3 Sustainably Distributing New Homes
- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 1, Affordable Housing.
- Note 2, Planning Obligations.
- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle of Development

The application site is located within the other growth area of the LDP, and is situated within the settlement boundary, therefore the principle of developing the site is acceptable providing the proposal complies with other relevant policies and material planning considerations.

Character and Appearance

Details with regard to the landscaping, layout of the proposed development and the appearance and scale of the buildings have been reserved for future consideration. However, the indicative site layout submitted with this application illustrates a terrace of four dwellings and an upper and lower scale range for these has been provided. It is considered that the site would be able to accommodate these dwellings, in the positions identified and within the scale parameters provided, whilst also allowing for parking and external amenity space, and the density would be akin to the existing pattern of development and arrangement of other dwellings within the street scene.

The indicative layout illustrates a terrace of four properties which are set back within the site, with the frontages aligned with the front building line created by the terraces along Hylton Terrace. It is considered that a terrace in this position respects the existing pattern of development and would therefore sit comfortably within the street scene. Whilst appearance and scale are reserved, the indicative elevations illustrate a three-storey terrace with a flat roof and parking for each property provided in a linear arrangement with one space located below the rear garden and upper storeys of the dwelling, and the other partially within an undercroft and partially on a driveway to the front. Whilst there are some concerns with respect to the design and appearance of the dwellings illustrated in the submitted drawings, design and appearance is not being considered at this stage and can be addressed as part of a reserved matters application. Nevertheless, the local planning authority must be satisfied that a suitably designed development could be provided on the site and within the scale parameters identified.

In this respect it is noted that the upper and lower scale parameters of the height allow for three storey dwellings that could either have a flat roof at the approximate height of the eaves of the adjacent terrace (as illustrated in the indicative elevations) or a pitched roof with a ridge height to match that of adjoining dwellings. It is recognised that the existing street scene comprises of two storey dwellings, but these are elevated above highway level at approximately a storey in height, with the front of the properties at street level being characterised by tall stonework walls and stepped accesses. The proposal provides dwellings at a similar height but with a level access off the street. It is considered that this can be appropriately achieved so the development would be sympathetic to the existing terrace whilst not replicating the elevated access. In terms of the height of the dwellings it is considered that a pitched roof would be more in keeping with the character of the dwellings in the area but as this is an outline application with scale and appearance reserved, the parameters allow scope for this to be agreed at a later stage. Having regard to the above the local planning authority is satisfied that the dwellings could be designed within this height range, so they

complement the existing street scene. It is also noted that the frontages of the existing dwellings are relatively consistent, but it is not considered that dwellings of the width specified would appear incongruous if appropriately designed. Accordingly, a dwelling within the proposed scale parameters, which is sympathetically designed could be erected within the site without adversely impacting on the character and visual amenity of the area and thus complies with Policy SW11 of the LDP.

Residential Amenity

It is noted that details relating to the layout of the proposed development, and the appearance and scale of the buildings have been reserved for future consideration. As a result, it is difficult to ascertain the specific effects that a residential development may have on the surrounding residents. Given that this is an outline application, it is the principle of residential development that is being considered. It is considered that the application site could accommodate four dwellings (as indicated in the indicative drawings) up to the stated maximum scale limits, whilst not adversely impacting on the amenities of the surrounding residents to an unacceptable degree and is therefore in accordance with Policy SW11 of the LDP

Parking Provision and Highway Safety

It is considered that the local highway network has the capacity to accommodate a residential development at this site. In addition, whilst the means of access to the development has been reserved for future consideration, an indicative plan has been provided indicating that access to the dwellings could be achieved off the highway to the front of the site. The Engineering and Highways Manager has not raised any objection to this proposal. In terms of parking, the Head of Engineering and Highways has noted that there would be an off-street parking requirement of one space per bedroom (up to a maximum of 3 spaces). As this application is for outline permission, this information is not yet known but it is considered that the site could accommodate sufficient off-street parking to meet the needs of the proposed dwellings.

Ecology

The application has been accompanied by a Green Infrastructure Statement, Site Assessment Survey and a Bat and Tree Survey Report. It is noted that the site is largely covered by young woodland habitat and scrub with a strip of semi-improved grassland. In order to facilitate the proposed development, the site would need to be cleared. As such, there would be a loss of this habitat and potential impacts on the species that may use it. The submitted reports have set out suitable ecological mitigation, compensation and enhancement measures. In addition, the Green Infrastructure Statement also outlines plans to retain the majority of the land to the north east of the application site, outside of the private residential curtilages of the proposed dwellings, in order to provide a natural habitat with replacement and compensation for the loss of broadleaved woodland, bracken and scrub. This information has been considered by the local planning authority's Ecologist who has not raised any objection to the development subject to conditions which will ensure that the mitigation, compensation and enhancement measures are implemented and a net benefit for biodiversity achieved.

Response to Representations

It is recognised that six letters of objection were received following the publicity exercise. In response to the main points raised, the following comments are made:

- It is acknowledged that the highway adjacent to the site is narrow with only a modest footpath on one side, which is located directly along the frontage of the site. On street parking appears to be prevalent and this in conjunction with the limited width of the carriageway can result in congestion and difficulties with vehicles passing one another. It is also noted that this is exacerbated as a result of school traffic, including buses and parking for staff. Indeed, the objections would suggest that there is an existing parking problem as a result of demand from residents, the school and pre-school. However, the proposal would only introduce four new dwellings to the area which would each be served by on-site parking. It is recognised that the presence of driveways would reduce the amount of on street parking currently available at the front of the site but this would not amount to a significant loss of space. In fact, the driveways would limit parking along the carriageway making it easier for cars to pass this section of the road without obstruction. It is also reiterated that the Engineering and Highways Manager has not objected to the development.
- It is not considered that the proposal would present a danger to those children walking to and from the school and pre-school. The Engineering and Highways Manager has not raised any concerns with respect to this issue. In addition, he is satisfied that adequate visibility can be achieved given that the highway has a 20MPH limit.
- Whilst there may be some additional highway disruption from construction vehicles, this is a modest development, and the inconvenience would only be for a limited period of time.
- It is recognised that Bedlinog is a small close-knit community, but this should not prevent appropriate development from taking place. This proposal is for a scheme of four dwellings. It is not considered that this would impact on the character of the area.
- Health and Safety during construction works is not a material planning consideration.
- It is recognised that the site is heavily vegetated, and that the proposal may impact on wildlife and biodiversity. This has been addressed above.
- Concerns have been raised regarding the disposal of spoil material from the site as it is claimed that it was previously an area of tipped refuse waste. However, the Environmental Health Manager has not identified the site as being contaminated.
- Any damage to neighbouring properties as a result of construction works including piling, would be a private matter between the parties concerned
- It is recognised that the proposal would introduce hard surfacing to the site which would generate surface water. However, Sustainable Drainage Body Approval (SAB) would need to be obtained for this proposal which would agree surface water drainage. As such no concerns are raised with respect to the development resulting in flooding.
- Concerns have been raised with respect to the design of the dwellings and how these would be in keeping with the area. The local planning authority share some concerns with respect to the indicative design provided and how this

would represent a sympathetic addition within the street. However, the details submitted illustrate a possible design and are not definitive. As outlined above, it is considered that the site could be appropriately developed with dwellings that would complement the character of the area and not be visually harmful.

- It is not clear in what way it is considered that the building work would have a detrimental impact on old buildings in the area. It is assumed that this refers to a harmful visual impact which has been discussed above. However, if it is in reference to damage to older buildings from construction works, this would be a private matter between the parties concerned.
- There will inevitably be some noise from construction works. However, this would be for a limited period of time, and it is not considered that it would have such a harmful impact on children in the school that it would warrant the refusal of the development.

Planning Obligations

Policy SW9 relates to planning obligations. However, as the proposal is for four dwellings, onsite provision of affordable housing or open space, or a financial contribution towards affordable housing would not be sought.

CONCLUSION

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Having regard to the above considerations the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

4. In conjunction with the statutory "reserved matters" details required by Condition 1, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and completed in full accordance with such approved details **BEFORE** the development hereby approved is brought into use:

- i) existing and proposed site levels including full cross sectional drawings;
- ii) proposed slab or floor levels of all buildings to be erected together with relative yard, ridgeline and highway levels and those of adjacent buildings;
- iii) the position height and material of all walls, fences and other means of enclosure; and
- iv) full construction and facing material details of any retaining walls over 1 metre in height; and
- v) the residential curtilage of each dwelling and the land which is to be retained to provide natural habitat.

Reason - To ensure a satisfactory standard of development and protect local amenity interest.

5. The development shall be carried out in accordance with the following approved documents:

Site Assessment Survey dated 5 July 2024, produced by Ecological Services Ltd, Received 5 July 2024.

Bat & Trees Survey Report version V1.0 dated September 2023, produced by Ecological Services Ltd, Received 16 September 2024

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

6. **BEFORE WORKS COMMENCE ON SITE** (including ground works and vegetation clearance) a detailed long-term Landscaping, Habitat & Ecology Scheme (LHES) shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details. The LHES must include, but not be limited to, the following:

- o Details of how the stepwise approach had been applied and how a Net Benefit for Biodiversity will be achieved
- o Details of retained landscaping/habitat/green infrastructure
- o Details of new landscaping/habitat/green infrastructure
- o A planting plan
- o Long term (at least 25 years) maintenance and management measures for all onsite landscaping/habitat/green infrastructure (both retained and new)
- o Details of other ecological measures/enhancements including timescales for implementation
- o Monitoring post-development for all onsite landscaping/habitat/green infrastructure and other ecological measures
- o Details of the funding mechanisms to meet the maintenance, management and monitoring objectives.
- o Details of the responsible person

Reason - To protect the natural environment and minimise impacts on protected species, in accordance with Policies EnW1 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. Prior to the installation of any external lighting, a Lighting Scheme shall be submitted to and agreed in writing by the Local Planning Authority, which shall include:
 - Details of the siting and type of lighting to be used, including the colour temperature
 - A plan illustrating the lux levels across the site to ensure boundary habitats remain dark and dark corridors are maintained.

The lighting scheme shall only be installed in accordance with the approved details and maintained as such thereafter.

Reason - To limit the impact on protected species and reduce light pollution in accordance with policies EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. **BEFORE WORKS COMMENCE ON SITE** (including ground works and vegetation clearance) a Precautionary Working Method Statement for protected species shall be submitted to and approved in writing by the Local Planning

Authority. The development shall only be carried out in accordance with the approved details and timescales.

Reason - To protect the natural environment and minimise impacts on protected species, in accordance with Policies EnW1 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. **BEFORE WORKS COMMENCE ON SITE** (including ground works and vegetation clearance) a Construction Environmental Management Plan - Biodiversity (CEMP - B) shall be submitted to and approved in writing by the local planning authority and the development shall only be carried out in accordance with the approved details. The CEMP-B shall include details of tree protection.

Reason - To protect the natural environment and minimise impacts on protected species, in accordance with Policies EnW1 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

12. **BEFORE WORKS COMMENCE ON SITE** details of the parking spaces for each dwelling (including those within garages) shall be submitted to and approved in writing by the local planning authority. This shall include dimensions and surface materials. No dwelling shall be occupied until the spaces have been provided in accordance with the approved details and they shall thereafter be kept available for the parking of vehicles in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

13. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution or detriment to the environment.

14. Demolition or construction works shall not take place outside the hours of 08 00 to 18 00 Mondays to Fridays and 09 00 to 14 00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

2. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

3. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

4. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. 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 works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

5. 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.

6. The developers attention is drawn to the comments received from Dwr Cymru Welsh Water during the application process which are available to view on the MTCBC website.