

Ein cyf/Our ref: CAS-260672-T8J6
Eich cyf/Your ref: 24/0524

Newport City Council
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 31 July 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: CONVERSION OF BUILDING INTO RESIDENTIAL USE TO INCLUDE A SMALL SIDE EXTENSION, CONSTRUCTION OF DETACHED DOMESTIC STABLE BLOCK, STANDALONE BAT HOUSE AND ASSOCIATED WORKS INCLUDING LANDSCAPING, FORMATION OF A SMALL DOMESTIC GARDEN, IMPROVEMENTS TO ACCESS AND PROVISION OF TWO PARKING SPACES

LLEOLIAD/LOCATION: LAND NORTH OF ROCK COTTAGE, PENHOW, NEWPORT

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 16 July 2024.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:

- Soft Landscaping Plan, Drg No TG 2203-25, dated July 2024, Rev B, by Ty Green Ltd
- Bat Survey, Penyworld Farm Barn, Penhow, Caldicot, NP26 3AJ, Version V2.0, prepared by Ecological Services Ltd, dated October 2022.
- Drawing No. TG2203-24 titled Bat House prepared by Tŷ Green Ltd, dated July 2024, Rev B.

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Protected Sites - Parc Seymour Woods Site of Special Scientific Interest (SSSI)

The proposed development is located approximately 30m from the Parc Seymour Woods SSSI which is notified for the sessile oak woodland and remnant ancient woodland habitat.

We have considered the revised Soft Landscaping Plan, Drg No TG 2203-25, dated July 2024, Rev B, by Ty Green Ltd, submitted in support of the application. We welcome that the previously proposed Cherry Laurel has been replaced with Beech. This has addressed our concerns in relation to the potential impact on the SSSI.

Therefore, based on the information submitted, we consider that the proposed development is not likely to damage the features for which Parc Seymour Woods SSSI is of special interest and advise the above document is included on the approved plans and documents.

Modifications to the scheme as currently proposed may affect our view, and may merit a further consultation with us.

European Protected Species – Bats

We note the submission of the revised Bat House drawing, reference TG2203-24, dated July 2024, Rev B submitted in support of the application.

The proposed development site is a confirmed maternity roost for a minimum of 58 lesser horseshoe bats roosting within a chimney of the building to be converted. We note that compensation for the loss of the roost is proposed in the form of a bat house.

European Protected Species – Legislation and policy

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a 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. A licence may only be authorised if:

- i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- ii. There is no satisfactory alternative; and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

On the basis of the information set out in the documents named below, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range, provided that the measures stipulated in the above documents are adhered to. Therefore, we recommend you should only grant planning permission if you attach the documents listed above within the condition identifying approved plans and documents on the decision notice.

European Protected Species Licensing

In line with the 'Dear CPO' letter issued by Welsh Government on 1st March 2018, we request that the following informative is attached to any planning permission granted by your Authority:

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 capture, kill or disturb EPS or to 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.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/ development to go ahead. To undertake the 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/protected-species-licensing/european-protected-species-licensing/information-on-european-protected-species-licensing/?lang=en> .

We may wish to discuss minor aspects of the proposed mitigation with the applicant in more detail at the EPS licence application stage. Please note that any changes to plans between planning consent and the EPS licence application may affect the outcome of the licence application.

European Protected Species – Dormice

We note and support your Authority's ecologist's request for a planning condition requiring a dormouse method statement.

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.

Further Advice for the attention of the applicant

To operate the private sewerage system, the applicant needs to apply for an environmental permit or register an exemption with us.

The approval of planning permission does not guarantee that a permit will be granted or an exemption registered, should a proposal be deemed to be unacceptable (either because of environmental risk or because a connection to mains sewer was feasible). Also, your Authority should be aware that the grant of a permit has the potential to conflict with a grant of planning permission, if the two applications are not considered in parallel.

More information, including a step by step guide to registering and the relevant application forms are available on our website. Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to

Guidance for Pollution Prevention 4 on the the NetRegs [website](#), which provides further advice.

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

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.