

**Application Number:** DM/2024/01188

**Proposal:** Mixed use development comprising shop extension to accommodate a new entrance and rear storeroom area; flatted development comprising 3 no. flats and associated development thereto following the demolition of dormer bungalow

**Address:** 7-9 Main Road, Portskewett, NP26 5SG

**Applicant:** Mr and Mrs Singh

**Plans:** Floor Plans - Existing 2112-01 - , All Existing Plans 2112-02 - , All Proposed Plans 2112-03C - , All Proposed Plans 2112-04B - , Site Plan 2112-05A - , All Existing Plans 2112-06 - , All Existing Plans 2112-07 - , All Proposed Plans 2112-08

**RECOMMENDATION: Approve subject to s.106 agreement**

Case Officer: Ms Kate Young  
Date Valid: 10.10.2024

**This application is presented to Planning Committee due to the number of objections received from local residents**

## **1.0 APPLICATION DETAILS**

### 1.1 Site Description

The site currently comprises a single-storey, brick built grocery store and detached dormer bungalow containing four bedrooms. There are three off street parking spaces in front of the dwelling but no off-street parking for customers or deliveries to the store. The site is located within the Portskewett Development Boundary.

The western part of the site lies within a Zone C1 flood zone of the Development Advice Maps (DAM) as referenced by Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The [more recent] Flood Map for Planning identifies the application site to be at risk of flooding and falling within Zone 3 (Sea). The site is located within the Gwent Levels Archaeologically Sensitive Area.

### 1.2 Proposal Description

This full application seeks the demolition of the bungalow and its replacement with an attached two-storey unit, providing a first floor extension over the shop and a small extension to the front and rear of the shop of approximately 11m<sup>2</sup>. In total, 3no. one-bedroom flats would be provided on the site. A communal garden will be incorporated to the rear of the building, including laundry drying area. Cycle and bin storage areas are provided to the rear. The three parking spaces to the front will be retained.

The application is accompanied by a full set of drawings and:

Bat Survey Report  
Transport Note  
Planning Statement  
Flood Consequences Assessment  
Surface Water Drainage Assessment  
GI Statement

## 2.0 RELEVANT PLANNING HISTOREY (if any)

Reference Number	Description	Decision	Decision Date
DM/2024/01188	Mixed use development comprising shop extension to accommodate a new entrance and rear storeroom area; flatted development comprising 3 no. flats and associated development thereto following the demolition of dormer bungalow.	Pending Determination	

## 3.0 LOCAL DEVELOPMENT PLAN POLICIES

### Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision  
S4 LDP Affordable Housing Provision  
S5 LDP Community and Recreation Facilities  
S6 LDP Retail Hierarchy  
S12 LDP Efficient Resource Use and Flood Risk  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design

### Development Management Policies

H1 LDP Residential Development in Main Towns, Severnside Settlements and Rural Secondary Settlements  
H9 LDP Flat Conversions  
SD3 LDP Flood Risk  
SD4 LDP Sustainable Drainage  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations  
DES1 LDP General Design Considerations

### Supplementary Planning Guidance

Infill Development SPG November 2019:

[https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill\[1\]Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments\[1\]00000002.pdf](https://www.monmouthshire.gov.uk/app/uploads/2020/02/Appendix-2-Infill[1]Development-SPG-Latest-Version-for-Final-Adoption-2020-Dave-adjustments[1]00000002.pdf)

Monmouthshire Parking Standards (January 2013)

[http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking\[1\]Standards-SPG-Jan-2013.pdf](http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking[1]Standards-SPG-Jan-2013.pdf)

### Technical Advice Notes

## 4.0 NATIONAL PLANNING POLICY

## 5.0 REPRESENTATIONS

### 5.1 Consultation Replies

**Portskewett Community Council** – Provided the following comments:

While the Council supports the shop extension, as the shop provides a vital service to the community, the concerns relating to parking access for the proposed flats require careful consideration.

Insufficient parking.

Vehicles park on the road reducing visibility and is a danger to road users, many complaints have been received.

Additional hazards from the close proximity of the junction with Sudbrook Road, the entrance to King Harold's View.

The double yellow lines at the entrance to King Harold's View are frequently ignored by drivers.

General pedestrian safety in this area has been a concern for a number of years especially as it is close to the primary school.

The current traffic problems would be moved nearer to the pedestrian crossing by the Village.

Green and nearer to the Sudbrook Road junction, causing more concerns for safety.

**MCC Highways** - No objection

**Natural Resources Wales (NRW)** - No objection

**Dwr Cymru - Welsh Water** - No objection subject to conditions.

The site lies within the catchment of Nash WwTW and we can confirm that hydraulic capacity exists to accommodate foul flows from this development site.

**Lead Local Flood Authority and SuDS Approval Body** -

The proposed works will require SAB approval, the application has now demonstrated a means of surface water discharge.

No objection based on flood risk to the site and request a conditions

**Heneb** - No objection in respect of archaeological issues.

**MCC Active Travel** - Concerns have been identified.

The proposal should detail how the effect of any increase in traffic to the site by car will be mitigated.

In addition to the residential cycle parking, we would request a minimum of one short-stay customer cycle parking stand.

**MCC Ecology** - No objection.

### 5.2 Neighbour Notification

Letters of objection received from 7 addresses.

This part of Main Road is very congested and is already dangerous to motorists, cyclists and pedestrians.

Vehicles mount the pavement.

Parked cars and lorries make it very difficult to cross Main Road.

The proposed development will reduce parking significantly and further congest the area.

Dangerous parking outside the Premier shop is a daily occurrence.

Congestion and traffic fumes already a big problem caused by users of the shop.

Shop delivery drivers in very large trucks behave in an anti-social manner.

The Road is also too narrow to accommodate this extra road parking and will also be dangerous for pedestrians, especially school children who rely on unrestricted vision when using the zebra crossing.

The true picture of the chaotic, often dangerous, customer parking situation especially at peak times, has not been correctly represented in the traffic report.

Road markings need to be repainted.

The road is not wide enough for passing vehicles or emergency services.

Illegal parking will become worse unless it's manned or cameras are installed with penalties issued for offenders.

No space for delivery vehicles.

Supporting comment:

The shop upgrade is welcomed.

### 5.3 Local Member Representations

None.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

With regards to the principle of new residential accommodation, the site is located within the Portskewett Development Boundary. Policy S1 of the LDP says that the main focus for new housing development is within main towns and the Severnside sub-region; Portskewett is allocated within the Severnside Region. Policy H1 of the LDP supports new residential development within development boundaries, subject to detailed planning considerations. Policy S9 allows for the conversion of properties into flats within development boundaries subject to detailed considerations. The principle of new residential development in this location is acceptable in policy terms but this is subject to detailed planning considerations. PPW12 recognises the need to provide sufficient housing in an area to meet housing need. PPW states that proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes.

With regards to the alteration of the existing shop, Policy S5 of the LDP supports development proposals that provide and/or enhance community facilities within or adjoining town and village development boundaries subject to detailed planning considerations. Policy S6 identifies a Retail Hierarchy for the County but Portskewett does not feature in this. Policy CRF1 seeks the retention of existing community facilities such as village shops. Policy RET4 refers to 'New Retail Proposals' and says these should be focused towards Central Shopping Areas and Neighbourhood Centres, although this site is not in either of those designations. The proposal is not seeking a new retail unit - rather it is looking for a small increase in the size of the shop by providing a new entrance. The increase in floor area will be 11 m<sup>2</sup>. It also seeks a replacement storage area to the rear. The retention (and enhancement) of a community facility complies with policy objectives.

### **6.2 Sustainability**

The LDP and PPW encourage sustainable development. This site is in a sustainable location and the occupiers of the flats will be able to walk to the shop and the primary school in Portskewett and the facilities within Caldicot Town Centre are within easy cycling distance along the new cycle path or accessible via public transport. The proposal would accord with a key objective of PPW by providing residential accommodation in a sustainable location.

### **6.3 Place Making/Good Design**

The proposal must be evaluated against the advice provided in the Supplementary Planning Guidance relating to Infill Development which states that the proposed development must respect the scale, form and massing of existing development in the area. This area of Portskewett is characterised by two-storey dwellings with the exception of the small scale retail unit immediately to the west of the application site. The slight increase in the height of the shop and residential units would continue the rhythm of the street scene. There is no policy reason why the residential accommodation cannot be linked to the retail element. The replacement of the residential bungalow that currently features large flat-roofed dormers, by a two-storey element can be seen as an improvement in visual terms. The increase in the overall height of the building would be less than 1.2 metres. The development would have a slate roof and the walls would be finished in render with brick detailing. These materials are considered appropriate in this location. The form, scale and massing of the development are acceptable and the proposal will respect the character of the area and the surrounding properties, therefore according with the objectives of Policy DES1 of the LDP, which requires that all development to be of a high quality, sustainable design and respect the local character and distinctiveness.

### **6.4 Biodiversity/Green Infrastructure**

#### Designated Sites and Habitats

There are no designated sites for nature conservation in immediate proximity to the proposals and no habitats of ecological value will be impacted.

#### Protected and Notable Species

The Bat Survey Report Issue 1, Version A (BE Ecological Ltd, September 2024) is welcomed. The report details the findings of a Preliminary Bat Roost Assessment and single emergence survey completed in accordance with best practice guidance. No evidence of roosting bats and very low levels of activity by common pipistrelle were recorded. The methodology in Section 6 does not need to be secured by condition given proportionality based on the survey findings. However, an informative is recommended reminding the applicant of their legal duties (which apply independently of the planning process) should roosting bats or nesting birds be unexpectedly found during works.

#### Net Benefit for Biodiversity

Planning Policy Wales (PPW) 12 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The Planning, Design and Access Statement sets out the proposed enhancements of bird boxes on the east and west elevations and the rear retaining wall, as well as native planting beds. The locations of these features are shown on Drawing 2112/04B.

Appendix B of the Bat Survey report also provides the following exact specification:

A Schwegler 2GR, 1B Schwegler Nest Box or a suitable equivalent will be integrated on the north west and south east elevation. The boxes will be installed at least 3m from ground level.

This is sufficient to secure net benefit for biodiversity and implementation will need to be secured by condition.

### **6.5 Impact on Amenity**

Policy EP1 of the LDP refers to Amenity and Environmental Protection and sets out that all development, should have regard to the privacy, amenity and health of occupiers of neighbouring properties. Immediately to the north of this site is the residential property 32 King Harold View which has its rear elevation facing into the application site. No 32 is set at a higher level than the

proposed development and is set at a slight angle so is not directly looking towards the application site, but it is close to the common boundary. There is a retaining wall and fence between the two properties. The proposal contains no windows on the rear elevation of the shop but does contain two ground floor windows on the rear elevation of the flats. These serve a kitchen and sitting room. Because these windows are set below the height of the retaining wall they would not result in a significant level of overlooking, despite their close proximity to the common boundary. There are also four rooflights on the rear elevation serving habitable rooms and they face towards the rear elevation of no 32. These rooflights are set a minimum of 1.7m above the floor area; this complies with the minimum standard to ensure that there are no unacceptable levels of overlooking. The increase in height of the residential element is approximately 1.2 metres. This increase in height will not significantly affect the outlook for existing residents. The increase in the height over the shop is approximately 1.6 metres. The shop element faces towards the side elevation of number 32 so will not result in a loss of outlook or loss of privacy.

The proposal does not affect any other residential properties. The scale and nature of the proposed development is not considered to result in any unacceptable impact upon the living conditions of neighbouring occupiers and therefore accords with policies EP1 and DES1 of the LDP.

## 6.6 Highways

The existing site conditions comprise a well-established village shop which has operated for many years together with a four-bedroom dormer bungalow next door. There is an existing off-street car parking area directly in front of the dormer bungalow which can accommodate three vehicles. The existing arrangement meets the requirements of the MCC Car parking Standards i.e. one car parking space to be provided per bedroom per dwelling with a maximum of three car parking spaces per dwelling.

The application site is served directly off Main Road, Portskewett which is a classified public highway. The posted speed limit is 20mph. The section of Main Road directly outside of the site and extending approximately 45m west is subject to regular on-street parking due to lack of off-street car parking provision for existing residents and customers of the shop. There has been much public concern regarding on-street parking relating to customers of the shop, particularly in and around the junction of King Harold's View, which has restricted entry and exit at the junction. In response to this ongoing issue, the Highway Authority implemented no waiting double yellow lines at the junction to prohibit parking and ease congestion at the junction. The Highway Authority acknowledges the concerns raised by local residents/consultees in respect of the current application in that it is perceived that the proposed development will exacerbate the current situation with regards to on-street parking stress in the immediate area. However, considering the application on its individual merit, there are no highway grounds to substantiate an objection on highway safety grounds considering that the site and use of the adjacent highway is historic and there will be no substantial material change to the current operation and use of the shop and adjacent public highway. The reasons are as follows:

*The shop element of the application comprises an extension to the shop frontage and storeroom extension to the rear. The proposed extensions are contained within the application site perimeter and do not extend onto the adjacent public highway, therefore there are no grounds to object to this proposal.*

The proposed redevelopment of the existing four-bedroom dormer bungalow comprises 3no. one-bedroom flats. The existing car parking area (three car parking spaces) directly in front of the dormer bungalow is being retained for the proposed 3no. flats. As stated above the MCC Parking Standards specifies one car parking space to be provided per bedroom per dwelling with a maximum of three car parking spaces per dwelling. 1no. car parking space is being reserved for each one-bedroom flat and thus meets the MCC Car Parking Standards.

In light of the above, Highways are of the opinion that there will be no substantial material change in terms of the parking arrangements between the existing and proposed redevelopment of the site and due to its historic use it would not be reasonable to sustain an objection to the application on highway safety grounds.

## 6.7 Flooding

The planning application proposes mixed use development including highly vulnerable development (residential). The NRW Flood Risk Map confirms the site to be within Zone C1 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zones 2 and 3 - Sea.

The planning application would result in the retention of and additional highly vulnerable development (residential), and the retention of less vulnerable development (retail). The proposal includes a self-contained flat at ground floor and two flats at first floor. The occupiers of the ground floor self-contained flat would not have access to the upper floor.

The proposal would result in a potential intensification of use and may create more pressure on emergency services should evacuation be required.

A Flood Consequence Assessment (FCA) has been submitted to support the application. NRW have reviewed the supporting FCA. The FCA indicates that during the 1 in 200 year plus climate change flood event, 2124, the site will experience a flood depth of 0.16m on the western boundary of the site. The FCA states that the buildings are located within the centre and the east of the site where ground levels are higher and that the finished floor levels for the buildings are higher again and that it is likely the building will not be flooded internally during this flood event. As such this element of the development will comply with A1.14 of TAN 15.

The FCA indicates that during the 1 in 1000 year plus climate change event, 2124, the site will experience a water depth of 0.67m on the western boundary of the site. The FCA states that buildings are located within the centre and the east of the site where ground levels are higher and that the finished floor levels for the buildings are higher again and that it is likely the building will flood to a depth of less than 600mm during this flood event. As such this element of the development would comply with A1.15 of TAN 15.

The FCA indicates that the proposed building will have a similar footprint to the existing building and as a result compensatory flood storage is not required and there will be no considerable impact on flood risk elsewhere given that the source of flooding is tidal. In addition, the overall direction of movement will be maintained within the development and surrounding area and the conveyance routes will not be blocked or obstructed.

NRW agree with the information submitted. In summary, the FCA indicates the built element of the proposals are stated as being flood free during the extreme events given that they are located on higher ground levels already. There is flooding to parts of the site within the red line application boundary but this is the same as the existing risk to the development.

Based on the information within the FCA, NRW advise that the built residential development is flood free in the 1 in 100 and 1 in 1000 year plus climate change flood events and has no impact on flood risk elsewhere. In addition, NRW consider there is no change in the vulnerability use at the ground floor level and as such they have no objection to the proposed development.

The Lead Local Flood Authority says that their database of previous flood events records surface water flooding in close proximity to the site, but this is on the main road below the level of the site and does not record any drainage or flood assets in close proximity to the site; therefore they raise no objection based on flood risk to the site however they do request a condition relating to finished floor levels.

Paragraph 6.2 of TAN 15 sets out the tests that must be applied for developments in flood zones. This states: "New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:

- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;
- iii) It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and
- iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

The site is located within a C1 flood zone (and not a C2), which is an area of flooding with flood defences. The site is located within an existing village surrounded by other residential and commercial properties. The proposal will provide much needed one-bedroomed flats for which there is considerable demand in a sustainable location which complies with the Council's objectives. The proposal will provide employment opportunities during the construction phase and ensure the long-term security of the shop which provided employment. The site is not greenfield land but has been previously developed. NRW have confirmed that the submitted FCA shows that the risks and consequences of flooding could be managed to an acceptable level.

For these reasons it is considered that the proposal complies with all the tests set out in paragraph 6.2 of TAN 15 for highly vulnerable development within a C1 Flood zone.

## **6.8 Active Travel**

MCC Active Travel have expressed concerns and have asked that the proposal should detail how the effect of any increase in traffic to the site by car will be mitigated. As explained above, the increase in floor area of the shop is very small and as such there would be minimal increase in traffic movement as a result of this proposal.

## **6.9 Affordable Housing**

There is a requirement for a financial contribution for the off-site provision of affordable housing under Policy S4 of the LDP. This would follow the formula in the Council's adopted SPG:

Internal Floor Area (m<sup>2</sup>) x £80/m<sup>2</sup> x 58%

i.e.  $(51 + 57 = 108) \times £80 \times 0.58 = £5,011.20$ .

The agent has confirmed that the applicant is willing to provide this financial contribution.

## **6.10 Response to the Representations of Third Parties and/or Community Council**

Portskewett Community Council support the extension to the shop but they and local residents are concerned regarding the existing and ongoing parking issues in the area. The shop at present has no parking provision for customers or delivery vehicles but this is an existing situation and will not be exacerbated by the small increase proposed in the shop's floor area by the provision of a front porch. There will be no substantial material change to the current operation and use of the shop and thus, the Highway Authority offers no objection to the scheme.

The MCC Parking Standards specifies one car parking space to be provided per one-bedroomed flat. In this case three car parking spaces are being provided, one allocated to each flat and therefore the proposal meets the adopted standards. The status quo is maintained. The Highway Authority is of the opinion that there will be no substantial material change in terms of the parking arrangements in respect of the existing situation and the proposed redevelopment.

## **6.11 Well-Being of Future Generations (Wales) Act 2015**

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this

recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **6.12 Conclusion**

The site is located within the Portskewett Development Boundary. Policy H1 of the LDP provides that within development boundaries in the Severnside Settlements, new build residential development, redevelopment or the subdivision of larger dwellings will be permitted, subject to detailed planning considerations. Therefore the principle of converting and extending the existing residential dwelling into three self-contained flats in this location is acceptable in policy terms. The proposal accords with a key objective of PPW12 providing residential accommodation in a sustainable location. Despite the slight increase in the height of the buildings and the new windows on the rear elevation adequate levels of outlook and privacy are maintained in accordance with policies EP1 and DES1 of the LDP.

The slight increase in the floor area of the shop, 11m<sup>2</sup>, will not result in more people using the shop and will not generate more vehicular movements. The proposal accords with the adopted parking standards by providing one space per one-bedroom flat. The Highway Authority agree that there will be no substantial material change in terms of the parking arrangements between the existing and proposed redevelopment.

NRW are satisfied that the risks of flooding can be satisfactorily managed.

The wildlife survey found no evidence of roosting bats within the site and the bird boxes and natural planting will provide an overall net benefit for biodiversity in accordance with LDP Policy NE1.

In conclusion, the application is considered to be policy compliant in all respects and is presented to Committee Members with a recommendation for approval.

## **7.0 RECOMMENDATION: APPROVE subject to a s106 agreement:**

### **S106 agreement Heads of Terms**

A financial contribution for the off-site provision of affordable housing under Policy S4 of the LDP equating to £5,011.20

### **Conditions**

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 Prior to the construction of the buildings hereby approved details of the materials to be used in the construction of the external surfaces of the buildings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such in perpetuity.

REASON: To ensure a satisfactory form of development takes place and to ensure compliance with LDP Policy DES1.

4 Net Benefit for Biodiversity

All works shall proceed in accordance with proposed measures to benefit biodiversity as shown on Drawing 2112/04B and detailed in the Planning, Design and Access Statement (AJ Planning and Development, September 2024) and Appendix B of the Bat Survey report (BE Ecological Ltd, September 2024).

REASON: To provide biodiversity net benefit and ensure compliance with PPW 12, the Environment (Wales) Act 2016 and LDP policy NE1.

5 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

6 No finished floor levels are to be below the 1000 year Coastal Flood Level of 11.16mAoD.

REASON: To prevent projected flood waters entering the property in flood events.

7 Any openings below 11.5mAoD must be protected by passive Property Flood Resilience Measures in accordance with the British Standards.

REASON: To prevent any openings allowing flood water into the property.

8 No development shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the development being brought into beneficial use and retained in perpetuity.

REASON: To ensure the suitable disposal of surface water in accordance with policy SD4 of the LDP

## **INFORMATIVES**

The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

### **Bats and Nesting Birds**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. British bat species are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This includes individual bats and their roosts. If bats or their roosts are unexpectedly found during the course of works, all works must cease and a suitably qualified ecologist and Natural Resources Wales contacted for advice.