

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
18/1046/LA 06.12.2018	CCBC Mrs S Richards Ty Penallta Tredomen Park Ystrad Mynach Hengoed CF82 7PG	Erect two storey classroom extension to the main junior block and associated parking on land off Lewis Street Ystrad Mynach Primary School Lewis Street Ystrad Mynach Hengoed CF82 7AQ

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: Land to the south and north of Lewis Street, Ystrad Mynach

Site description: The application site relates to two separate land parcels formed of part of the existing curtilage of Ystrad Mynach Primary School located to the south of Lewis Street, and also a parcel of grassed land to the north of Lewis Street located behind the residential properties and their rear access lane.

Development: Planning Permission is sought for a two storey front extension to the existing Ystrad Mynach Primary School to provide a classroom extension to the school building for two additional classrooms. In addition a new 37 space school staff car park is proposed to be constructed on a grassed area behind residential properties to the north of Lewis Street accessed from a lane located between numbers 17 and 19/19A Lewis Street.

Dimensions:

The proposed two storey school extension measures approximately 8.2m wide by 9.5 deep (maximum extent) with a height of 9.2m.

The proposed car park measures approximately 62m in length by 16m in width.

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Materials:

The two storey extension would be finished with cream rendered walls, red brick quoins and reconstituted stone heads and sills to match the existing school building and would have a Cambrian slate roof.

The car park would be finished in permeable surfacing.

Ancillary development, e.g. parking:

PLANNING HISTORY 2005 TO PRESENT

P/06/0017 - Extend existing school buildings to create primary school - Granted 30.03.06.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

Policies: CW2 (Amenity), CW3 (Highways), CW7 (Protection of Open Space), CW8 (Protection of Community and Leisure Facilities), CW15 (General Locational Constraints), LE1 (Protection of Formal Open Spaces), LE3 (Protection of Country Parks), SP5 (Settlement Boundaries), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales (Edition 10, December 2018), Technical Advice Note 12: Design, Technical Advice Note 16: Sport, Recreation and Open Space.

SUPPLEMENTARY PLANNING GUIDANCE

LDP4 - Trees and development
LDP8 - Protection of Open Space

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? No.

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COAL MINING LEGACY

Is the site within an area where there are mining legacy issues?This is a Low risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

Transportation Engineering Manager - No objections subject to planning conditions addressing detailed highway considerations.

Ecologist - No objection to the development. Advises that the location of the car park is on land that has the potential to support reptiles. A reptile method statement is required. Provides conditions and informative notes to address ecological matters.

Head Of Public Protection - No observations.

Senior Engineer (Land Drainage) - The site is situated within an area susceptible to surface water flooding. Provides advice for the applicant and requests that a planning condition be attached to any permission requiring a scheme of land and surface water drainage to be submitted for the approval of the Local Planning Authority.

Landscape Architect - The new car park should be landscaped in the interests of visual amenity and an existing tree adjacent to the proposed extension will require tree protection during the construction period.

Principal Valuer - No Comments.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and 18 neighbour notification letters were sent. At the time of writing this report the publicity period had yet to elapse. Any further representations received prior to planning committee will be verbally reported to Members at Committee.

Response: 8 letters of objection have been received.

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Summary of observations:

- Existing Highway safety and Parking problems in the area
Why can school staff not park in the school site and makes reference to incremental extensions of the school facilities?
- Alternative sites for school parking should have been considered.
- Vibration from construction traffic and the vehicles using the new car park following its completion could damage property.
- Disputes reference in submitted documentation to neighbours having been consulted prior to the submission of the application.
- Flooding of access lane/car park area.
- Inadequate access/visibility to the proposed site via the lane.
- Safety concerns in relation to the proposed painted pedestrian footway
- Highlight the inability of emergency services to attend properties in the street due to parking problems.
- Raises concerns in respect of the advertisement of the application.
- Object to the cost of the car park and highlight that there is a usable car park in the centre of Ystrad Mynach which is within reasonable distance of the school, is reasonably priced and reasonably accessible for the teachers.
- States that previously there was a proposal to site a car park behind Lewis Street but this considered unacceptable for highways/safety concerns.
- There is already a high volume of traffic around the schools in this street and for the safety of the children, adding more traffic to the street will only add to the possibility of accidents.
- The proposed car park land is used as a play area by children and grandchildren of residents in the street.
- Vehicles already reverse from the lane onto Lewis Street when busy.
- Request Double Lined Parking Restrictions on each side of the lane.
- Existing gated access for residents on rear lane may need to be altered to ensure a better ingress / egress given the vehicle movements entering the car park and the residents vehicle movements.
Out of hours safety concerns in relation to "Boy racers" which is already a problem in the town centre car parks.
Lack of operational detail on how the car park will be managed.
Lack of perimeter definition. Without any fencing and only a kerb to define the car park there is a risk that when the car park is full, drivers will exit the carpark over the kerb to park on the field, either side of the car park.
Resident lane access is not secure.
No air pollution assessment.

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SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

It is not considered that crime and disorder will be materially affected by the development.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The development falls within a zero rated Community Infrastructure Levy category.

ANALYSIS

Policies:

The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the visual appearance of the development on the character of the area.

The application is seeking planning permission for two distinct elements, firstly an extension to Ystrad Mynach Primary School and secondly the provision of a car park for school staff located to the rear of Lewis Street and the report will consider these elements in turn.

The development would facilitate the operation of the existing school by providing additional teaching space on the existing school site and also by providing a car park for school staff a short distance from the school. It is considered that the development accords with adopted Local Development Plan Policy CW15 (General Locational Constraints).

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School Extension

The proposed two storey extension to the Primary School is located within the school grounds, at the front of the building which is situated lower than the street level of Lewis Street. The extension is designed to match the architectural style and appearance of the main building, having a hipped roof to the main portion of the extension and a small link section behind which has a flat roof. The extension will be finished in materials to match the existing school building with render, brick detailing and stone head and sills to windows. It will project further forward than the majority of the principal elevation; however, an existing portion of the school building to the east already extends a similar amount and it is considered that the extension will be visually acceptable harmonising sufficiently with the existing school facade to accord with adopted Local Development Plan Policy SP6 (Placemaking) in having a high standard of design that respects the character of the school building.

The impact on neighbour amenity from the extension is acceptable noting that the extension would be set back from the Lewis Street boundary by approximately 3.5m and the finished floor level of the ground floor is approximately 1.5m below road level. There would be a separation distance in excess of 15 metres between the extension classroom windows and the front windows of dwellings on the opposite side of Lewis Street. This separation distance would be similar to the existing relationship between residential properties facing each other across Lewis Street further along the street to the east. It is considered that the impact on privacy and amenity of occupiers of those residential dwellings located opposite the new extension would be acceptable and accord with Local Development Plan Policy CW2 (Amenity).

Staff Car Park

The proposed school car park would be located on part of a grassed area of land to the rear of residential properties to the northern side of Lewis Street. It would be constructed on a broadly flat grassed area which is bound by an earth embankment to the northern side that rises up in level to a railway line above the site. The eastern end of the car park is close to four garages accessed via a part of the grassed area adjacent but outside of the application site. To the western side the grassed area continues for approximately 50 metres but progressively tapers in width towards the western end.

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The access point for the car park would be at the northern end of the existing access lane which runs from Lewis Street between 17 and 19/19a Lewis Street to the rear of the buildings, and currently providing access to a gated rear lane running behind the properties on Lewis Street. The access lane junction onto Lewis Street is in close proximity to existing traffic calming on Lewis Street and double yellow lines are present on either side of the lane for approximately the first 5 metres from the junction with Lewis Street. The Highway Authority have considered the proposed access arrangements and have offered no objection to the scheme. A proposed pedestrian pathway is shown on the submitted site plan and this will be required to be marked out prior to the car park being brought into beneficial use.

The proposed car park would be constructed on an area of grassed open space to the rear of properties on the northern side of Lewis Street and as such the application has been considered against adopted Local Development Plan Policy CW7 (Protection of Open Space). This policy seeks to ensure that developments do not lead to the unacceptable loss of open space within communities and protects sites with significant value as a recreational resource or an area of visual amenity. An Open Space assessment was carried out and this identified a deficiency of informal open space in Ystrad Mynach. The required amount of useable open space in the area is 2.78 ha, but the total available is 1.67 ha. The development of the site would reduce the latter by 0.2 ha. The assessment did however indicate that there was a significant amount of formal open space within 0.5km of the application site. This includes Ystrad Mynach Park which is within a 1km walk of the application and is well equipped with play facilities. The assessment buffer did not include the majority of Parc Penallta Country Park which is located to north of the site outside of the settlement boundary. The closest part of the Parc Penallta designation under the Local Development Plan lies approximately 450m walk from the site close to Brynderwen which is accessible via public footways/footpaths from the application site and the entrance to the main designated area of Parc Penallta is within approximately 1km of the application site.

It is noted that following the proposed development of the car park, an area of grassed space would remain to the west of it and whilst this is significantly smaller than the existing grassed area it would provide an area of open space of approximately 400sqm which could be utilised by local residents including children. The grassed area is located behind the existing housing accessed via a lane between properties and is therefore not considered to be significantly visible within the street scene. A railway line is located to the north of the site on top of an embankment adjacent to the area. The site is considered to have a limited value in terms of the visual contribution it makes to the amenity of the area. In addition to the area of grass space that would be still available following development residents of Lewis Street would be walking distance to formal open spaces (Ystrad Mynach Park) and the Country Park (Parc Penallta) which are both afforded protection from development under Local Development Plan Policies (Policies LE1 and LE3).

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The partial loss of the grassed area to provide the school staff car park does reduce the amount of useable space in the locality but this has been weighed against other material planning considerations including the fact that an area of grassed open space will remain available adjacent to the car park and there is access to other recreational spaces in the area available to residents. Another material consideration weighing in favour of the development is the provision of parking for an existing school facility which at present has only 6 car parking spaces, and there are acknowledged parking problems within the area. The development would accord with Policy CW3 (Highways) in providing parking for the school staff which is currently deficient. The car park provision would also facilitate the proposed school extension by providing required parking which would assist in contributing to adequate and efficient infrastructure by maximising the use of an existing educational resource which is acknowledged as desirable by Planning Policy Wales (paragraphs 3.57 and 3.59).

Comments from Consultees:

The Council's Ecologist asks for a condition to secure bat and bird breeding provision as a biodiversity enhancement. While this is desirable, in view of the scale of the development, it is considered that such a condition would not meet the test in Welsh Government Circular WGC 016/2014 in that it is not essential in planning terms to enable the development to proceed. The circular states " In considering whether a planning condition is necessary, local planning authorities should ask themselves whether planning permission would have to be refused if a condition were not imposed, or if it would be expedient to enforce against a breach of the condition." The comments will be sent as an advisory note.

Comments from public:

- Existing Highway safety and Parking problems in the area

It is considered that the provision of dedicated off-street parking for school staff would be likely to alleviate some of the current parking problems where on street parking from school staff is likely to be occurring. The application proposes controlled access for the car park and a condition requiring the submission of a car park management plan is proposed.

Why can school staff not park in the school site and makes reference to incremental extensions of the school facilities?

- Alternative sites for school parking should have been should considered

The application has been considered on its merits as submitted and this would be a matter for the governance of the school.

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- Vibration from construction traffic and the vehicles using the new car park following its completion could damage property

The construction period would be limited in duration due to the scale of the proposed development, and following completion the car park its users would be non commercial (light) vehicles. This would also be a private matter between the Council and the neighbouring residents.

Disputes reference in submitted documentation to neighbours having been consulted prior to the submission of the application

The nature and scale of the development means that there was not any formal requirement for the applicant to undertake pre-application consultation prior to submitting the planning application.

- Flooding of access lane/car park area

The Land Drainage Officer has not objected to the development subject to a condition requiring full drainage details prior to commencement of the development. The surface of the car park will be permeable to assist natural drainage.

- Inadequate access/visibility to the proposed site via the lane
- Safety concerns in relation to the proposed painted pedestrian footway

The Highway Authority have considered the application and have offered no objection to the access arrangements.

- Highlight the inability of emergency services to attend properties in the street due to parking problems

This appears to be an existing problem with on street parking and the proposed car park has the potential to alleviate some of this parking by providing alternative parking provision off street for school staff.

- Raises concerns in respect of the advertisement of the application

The application was advertised with a site notice and 18 neighbour notification letters in accordance with Welsh Government requirements for advertising planning applications.

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- Object to the cost of the car park and highlight that there is a usable car park in the centre of Ystrad Mynach which is within reasonable distance of the school, is reasonably priced and reasonably accessible for the teachers
- States that previously there was a proposal to site a car park behind Lewis Street but this considered unacceptable for highways/safety concerns

The financial implications of the development are not a material planning consideration and notwithstanding other car parks in the wider Ystrad Mynach area the application has been considered on its merits as submitted.

There is already a high volume of traffic around the schools in this street and for the safety of the children, adding more traffic to the street will only add to the possibility of accidents

The proposed car park is to facilitate parking for staff of the school the majority of whom would be already travelling to the school. The proposed extension would generate relatively few additional vehicle movements and the development is not considered to impact adversely on highway safety.

The proposed car park land is used as a play area by children and grandchildren of residents in the street

The impact of the development has been considered in the report, an area of open space would be retained and access to local recreational resources has been considered against other material planning considerations.

- Vehicles already reverse from the lane onto Lewis Street when busy
Request Double Lined Parking Restrictions on each side of the lane

The Highway Authority has considered the application and offered no objections to it.

- Existing gated access for residents on rear lane may need to be altered to ensure a better ingress / egress given the vehicle movements entering the car park and the residents vehicle movements

The access point is located between the existing gates and the new gates for the car park are shown to open inwards and not conflict with them.

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Out of hours safety concerns in relation to "Boy racers" which is already a reported problem in the town centre car parks

The car park is proposed to be gated and therefore access can be prohibited outside of school hours.

Lack of operational detail on how the car park will be managed

It has been detailed that the School Caretaker will be responsible for opening and closing the car park gates. A planning condition requiring a management plan for the car park has been proposed.

Lack of perimeter definition. Without any fencing and only a kerb to define the car park there is a risk that when the car park is full, drivers will exit the carpark over the kerb to park on the field, either side of the car park

The car park is for school staff use and therefore unauthorised parking outside of the carpark would be a matter for school governance.

Resident lane access is not secure

This is noted as the current situation with public access available at present from the public highway. It is not considered that the car park will materially alter this situation.

No air pollution assessment

The application has been considered by the Council's Environmental Health Officer who has raised no objections to the development. It is noted that the car park is for the existing school use and apart from a small increase in staffing levels as a result of the school extension the general traffic levels will not be materially impacted in the locality of Lewis Street.

Other material considerations:

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. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

The development is considered acceptable and is recommended for approval accordingly.

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RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, drawing reference P01, received 06.12.18;
 - Proposed Site Plan, drawing reference P05, received 06.12.18;
 - Proposed Ground Floor Plan, drawing reference P06, received 06.12.18;
 - Proposed First Floor Plan, drawing reference P07, received 06.12.18;
 - Proposed Elevations, drawing reference P08, received 06.12.18.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.
REASON: In the interests of the visual amenities of the area in accordance with policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) No development or site/vegetation clearance shall take place until a detailed reptile Mitigation Strategy has been prepared by a competent ecologist and submitted for the written approval of the Local Planning Authority. The approved measures shall be strictly complied with.
REASON: To ensure that reptiles are protected in accordance with Planning Policy Wales and Technical Advice Note 5 (Nature Conservation and Planning).
- 05) Prior to the commencement of works on site a scheme of land and surface water drainage within the site shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which it relates is occupied.
REASON: To ensure the development is served by an appropriate means of drainage in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 06) The development shall not be brought into beneficial use until after the area indicated for the parking of staff vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any other purpose other than the parking of vehicles.
REASON: In the interest of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the beneficial use of the proposed staff parking area first commencing, a pedestrian route shall be marked out on the access lane serving the car park and the existing road markings altered in accordance with details to be firstly agreed in writing with the Local Planning Authority.
REASON: In the interest of Highway Safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) Prior to the commencement of works on the car park hereby permitted details of the proposed car park lighting shall be submitted for the written agreement of the Local Planning Authority. The lighting shall be completed in accordance with the approved details.
REASON: In the interest of the residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) Prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the completion of the car park development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area in accordance with policy SP6 (Placemaking) of the adopted Caerphilly County Borough Local Development Plan up to 2021.

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- 10) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
 - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
 - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
 - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
 - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
 - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
 - h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
 - i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
 - j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
 - k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,

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l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,

m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,

n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,

o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),

p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).

q) the timing of the various phases of the works or development in the context of the tree protection measures.

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity in accordance with policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 11) Prior to the car park being brought into beneficial use a car park management plan shall be submitted for the written approval of the Local Planning Authority. The management plan shall detail operational measures to control access to the car park to limit its use to school staff. The car park shall be operated in accordance with the approved management plan thereafter.

REASON: In the interests of the amenity of neighbours and highway safety in accordance with policies CW2 and CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing (03000 653170).

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Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Local Authority Ecologists (01443 866616) or Natural Resources Wales (NRW) (03000 653170).

Please find attached the comments of The Council's Ecologist and the Senior Engineer (Land Drainage) that are brought to the applicant's attention.

