

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 03 December 2015 16:59
To: planning_admin
Cc: benedetta.rogers@featherstoneyoung.com; Ellis, Matthew
Subject: P/2015/0917 - The Peoples Market, Chester Street - NRW Response
NRW:00960279

Dear Ms Holman,

Thank you for consulting Natural Resources Wales regarding the above proposal, which we received on the 2nd December 2015. NRW have the following comments:

Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). We advise that you should consult your internal ecologist with regards to the potential impact of the development on the favourable conservation status of populations of bats. We note that there have been records of Chiroptera bats nearby.

Should your ecologist advise that further information is required in order to assess the likely impact of the development on bat species, NRW would wish to be re-consulted on the protected species assessments supporting the planning application.

The proposal is within or may affect a Landscape of Outstanding/Special Historic Interest. While this is not a statutory designation, chapter 6 of Planning Policy Wales (PPW) states that it is a material consideration in the planning process and must be given due regard when reaching a determination.

However, please note that we have not considered possible effects on all species and habitats (including nesting birds) listed in Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests.

To comply with your Authority's duty under Section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your Authority's internal ecological adviser and/or nature conservation organisations such as the local Wildlife Trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for Section 42 habitats and species (www.biodiversitywales.org.uk).

The applicant should also be advised that, in addition to planning permission, it is their responsibility to ensure that they acquire all other permits/consents relevant to their development.

The applicant can also access general guidance in respect of pollution prevention, waste management, biodiversity and protected species from our website at www.naturalresourceswales.gov.uk.

I hope the above comments are of assistance however, if you have any queries please do not hesitate to contact me.

Kind Regards,

Gareth Thomas

Gareth.Thomas@cyfoethnaturiolcymru.gov.uk

0300 065 3786