



You must not build over any of our plant or enclose our apparatus.

PCC-(M) Highways

21st Sep 2018

For the previous application P2018/0154, on the adjoining site, there was a commitment to introduce no parking restrictions along Station Road to prevent indiscriminate on-highway parking. Unfortunately, to date, the Traffic Regulation Order has yet to be advertised so a suitably worded condition should be attached to any decision notice that may be issued.

1. Within one month from the date of the decision notice a scheme for the prohibition of parking along Station Road shall be submitted and approved in writing by the local planning authority and shall thereafter be implemented in accordance with the approved drawings.
2. The proposed development shall be constructed in complete accordance with the details on drawing numbers PH2 PL02 Rev. A and PH2 PL04 Rev. A.
3. Prior to the first beneficial use of the development all on site infrastructure shall be fully completed to the written satisfaction of the local planning authority.

Welsh Water

4th Oct 2018

Dwr Cymru has no objection to the proposed development on the basis that surface water is discharged to a private water system,

PCC-Environmental Health

1st Oct 2018

Environmental Protection would seek to have the following included should permission be granted.

1. Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays.

Reason:

To protect the local amenity from the effects of noise.

2. No development shall commence, including any works of demolition, until a Demolition Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the demolition period. The statement shall provide for:

A) measures to control the emission of dust and dirt during demolition and construction;

and

B) a scheme for recycling/disposing of waste resulting from demolition and construction works. No burning of waste to be undertaken on site.

Reason:

To protect the local amenity from the effects of dust/dirt and smoke

PCC-Contaminated Land Officer

3rd Oct 2018

The following report has been submitted in support of planning application 18/0577/FUL:

Arcadis 'Previous Market Site, Llandrindod Wells: Phase 1 Geo-Environmental Desk Study' (ref: 0001-10010344-32-SER-R-01) March 2018.

Based on the information submitted in the above referenced report, the following advice is provided for the consideration of Development Control.

Advice

1. The appendices, listed on the contents page of the report (ref: 0001-10010344-32-SER-R-01), are missing from the submitted document. The missing information should be submitted.
2. Under section 6 'Preliminary Conceptual Site Model', of the report (ref: 0001-10010344-32-SER-R-01), controlled waters have been identified as potential receptors of the identified contaminant sources. Therefore, it is recommended that the above referenced report (ref: 0001-10010344-32-SER-R-01) is submitted to Natural Resources Wales for advice in respect of the investigation and assessment of the land contamination risks to controlled waters.
3. Under section 8.2 'Recommendations', of the report (ref: 0001-10010344-32-SER-R-01), it is stated: "The risk levels assessed in this report are heavily dependent of the actual presence (or absence) and nature of contaminants in the soil and groundwater beneath the site. No chemical information on soil or groundwater quality currently exists, but potential sources of contamination have been identified on site and in the immediate vicinity. It is, therefore, recommended that an intrusive investigation of the site is carried out to better characterise the potential risk levels and establish a land quality baseline for the site which can be used in the planning application process."

Prior to undertaking the proposed intrusive investigation, a detailed scope of works, which has been prepared by an experienced and qualified environmental consultant, should be submitted for review and approval.

Furthermore, intrusive site investigations should be designed, justified and completed in accordance with current guidance and best practice such as BS10175:2011 'Investigations of Potentially Contaminated Sites - Code of Practice'.

## Summary

Based on the available information, it is recommended that the following conditions and note, to the applicant, are attached to any permission granted for planning application 18/0577/FUL:

### Condition 1. Site Characterisation

No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins.

The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

### Condition 2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 1 has been received from the local planning authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

### Condition 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority. The verification report contents must be agreed with the local planning authority before commencement of the remediation scheme.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

### Condition 4. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of duration to be agreed in writing with the local planning authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority.

Within six months following the completion of the measures identified in that scheme and the achievement of the remediation objectives, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in

accordance with policy \_\_\_\_ of the adopted Local Plan (date)].

Note to Applicant

Potential Contamination

The Council's guidance leaflet on the development of sites with potential land contamination is attached. Further advice on compliance with this condition may be obtained by contacting the Environmental Health Service on 0870 1923757.

PCC-Ecologist

21st Sep 2018

I have reviewed the proposed plans submitted with the application as well as local records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 466 records of protected and priority species within 500m of the proposed development, no records were identified for the site itself. Species recorded within 500m of the proposed development include hare, otter, badger, bat species - Daubenton's, whiskered, myotis spp., noctule, pipistrelle spp. and brown long-eared bat, reptiles - slow worm and common lizard, common frog, bluebell, protected and priority moth and butterfly species and a number of W&CA Schedule 1 and Environment (Wales) Act 2016 Section 7 bird species.

No Statutory or non-statutory designated sites are present within 500m of the proposed development.

The proposed development concerns an area of hardstanding part of which was used as the former car sales garage forecourt and the remainder is currently used as a private car park - this habitat is considered to be of negligible value to biodiversity and a former car sales building which is proposed to be demolished. Given the proposed development concerns the demolition of a building consideration has been given to the potential for the building to support roosting bats and the proposed development to result in negative impacts to biodiversity.

In order to inform the application an Ecology Survey Report produced by Just Mammals Consultancy LLP dated August 2018 has been submitted. I have reviewed the submitted report and consider that the survey effort employed to assess the impact of the proposed demolition and associated development to biodiversity has been undertaken in accordance with current survey guidelines.

A daytime inspection of the interior and exterior of the building and 3 activity surveys (two dusk emergence and one dawn re-entry surveys) were undertaken between June and August 2018. No evidence was found for the presence of bats and no bats were observed

emerging from or re-entering the building during the surveys. The report notes that the location was extremely quiet with almost no bat foraging and commuting activity noted around the site. No active signs of breeding birds were found during the survey but historic evidence of bird nesting was identified with two old nests being found on the north side of the building.

Recommendations with regards to demolition of the building have been made within section 9 of the report, it has been identified that due to historic evidence of nesting birds being identified within the building and given the protection afforded to nesting birds demolition of the building should be timed to avoid the breeding bird season.

Having reviewed the nature of the proposed development, the existing habitats present and affected by the proposed development and the results and recommendations of the ecology survey it is considered that the proposed development would not result in the loss of or negative impacts to biodiversity. Therefore should you be minded to approve the application I recommend inclusion of the following condition:

The development shall be carried out strictly in accordance with the recommendations identified in Section 9 of the Ecology Survey Report produced by Just Mammals Consultancy LLP dated August 2018. The identified measures shall be adhered to and implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's UDP Policies DM2 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning, the Conservation of Habitats and Species Regulations 2017, the Wildlife & Countryside Act 1981 (as amended) and Section 6 of the Environment (Wales) Act 2016.

In addition I recommend inclusion of the following informatives:

Birds - Wildlife and Countryside Act 1981 (as amended)

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

Bats - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017

It is an offence for any person to:

- Intentionally kill, injure or take any bats.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under the Habitats Regulations it is an offence to:

- Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 that works to trees or structures where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0845 1300 228 or email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk)

WG - Highways Directorate

26th Sep 2018

I refer to your consultation of 19 September 2018 regarding the above planning application and advise that the Welsh Government as highway authority for the A483 trunk road does not issue a direction in respect of this application.

## Representations

The application was advertised through the erection of a site notice. No representations or objections have been received.

## Planning History

App Ref	Description	Decision	Date
P/2018/0154	Construction of new car park access to include installation of automated barrier system	Approve	11/06/2018

## Principal Planning Constraints

None as per GIS

## Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 9, November 2016)		National Policy
TAN5	Nature Conservation and	Planning	National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure		Local Development Plan 2011-2026
DM2	The Natural Environment		Local Development Plan 2011-2026
DM13	Design and Resources		Local Development Plan 2011-2026
C1	Community Facilities and		Local Development

## **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

## **Officer Appraisal**

### Site Location and Description

The application site is located within the settlement of Llandrindod Wells as defined by the Powys Local Development Plan (2018). The application site comprises a car park and car sales business (now closed) and associated structure. The site is bound by the adjoining highway (Station Crescent) to the west, the train station and associated infrastructure to the south, the railway line to the west and commercial buildings to the north.

The application seeks full planning permission for the demolition of the existing car sales building and the construction of a bus interchange with shelters and cycle rack and the change of use of the northern section of the site to private car parking. The proposed development would provide four off street bus stops with three bus shelters and a cycle shelter for 20 bicycles. The private parking would provide 69 parking spaces and utilise an existing access.

The southern section of the site is currently being used as a private car park with the northern section of the site a now vacant car sales business.

### Principle of Development

Policy T1 - Travel, Traffic and Transport Infrastructure requires that transport infrastructure and development proposals should incorporate the following principal requirements;

1. Safe and efficient flow of traffic for all transport users, including more vulnerable users, and especially those making 'Active Travel' journeys by walking or cycling;
2. Manage any impacts to the network and the local environment to acceptable levels and mitigate any adverse impacts; and

Minimise demand for travel by private transport and encourage, promote and improve sustainable form of travel including Active Travel opportunities in all areas.

The policy will also support transport infrastructure improvements where they promote sustainable growth, maximise the efficiency and safety of the transport systems, improve public and private transport integration and encourage passenger and freight rail operations.

It is considered that the moving of the private car park to the north of the site and the creation of a transport interchange is in accordance with Policy T1 as it promotes the use of public transport providing an improved rail and bus connection and provides secure storage for bicycles therefore promoting the use of the public transport network.

### Highway Safety

Policies T1 and DM13 require that a safe access including parking and visibility is required as part of development proposals.

The applications seeks planning permission for the development of a bus interchange and associated bus shelters and cycle racks and the change of use of the northern sections of the site to private parking.

The southern section of the site benefits from planning permission granted in June 2018 for the change of use to a private car park. It is proposed to move this car parking area to the north of the site and provide a transport interchange at the southern end of the site.

Following consultation with both Powys Highways and Welsh Government Transport no objection has been received to the proposed development. Powys Highways have requested a number of conditions requiring development to be complete in accordance with the approved drawing and also a scheme for the prohibition of parking along the highway.

In light of the above, and the improved transport facility provided as part of the proposal, it is considered that the proposed development fundamentally complies with policies T1 and DM13 of the Powys Local Development Plan, Technical Advice Note 18 and Planning Policy Wales.

### The Natural Environment

Policy DM2 of the Local Development Plan require development proposals to demonstrate how they protect, positively manage and enhance biodiversity and Geodiversity. The policy states that development proposals that would unacceptably adversely affect a natural environment asset will not be permitted.

The application was accompanied by an Ecology Survey Report produced by Just Mammals Consultancy LLP and is dated August 2018.

As the application proposed the demolition of a building both Powys Ecology and Natural Resources Wales were consulted on the application with regards the potential impact on any protected species. To date no response has been received from NRW however Powys Ecology have responded.

In their response, Ecology state that, having reviewed the information and the proposed development, it is considered that the proposed development would not result in the loss of or negative impacts to biodiversity. Ecology have requested that a condition requiring development to be undertaken in line with the recommendation of the submitted ecology report to be attached to any grant of consent.

As such, in light of the above it is considered that the application fundamentally complies with policies SP7 and DM2 of the Powys Local Development Plan, Technical Advice Note 5 and Planning Policy Wales.

## **RECOMMENDATION**

In light of the above it is considered that the proposed development fundamentally complies with the relevant policies and is recommended for approval subject to the condition outline below.

### **Conditions**

1. The development shall begin not later than five years from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans and documents (Location Plan, PH2\_PL\_01, PH2\_PL\_02 Revision A, PH2\_PL\_02.1 Revision A, PH2\_PL\_03 Revision A, PH2\_PL\_04 Revision A, Ecological Survey Report (Just Mammals Consultancy LLP dated August 2018), Phase 1 Geo-Environmental Desk Study)
3. Prior to the commencement of development a scheme for the prohibition of parking along Station Road shall be submitted and approved in writing by the local planning authority. The development thereafter be implemented in full accordance with the approved scheme.
4. The proposed development shall be constructed in complete accordance with the details on drawing numbers PH2 PL02 Rev. A and PH2 PL04 Rev. A.
5. Prior to the first beneficial use of the development all on site infrastructure shall be fully completed to the written satisfaction of the local planning authority.

6. Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays.

7. No development shall commence, including any works of demolition, until a Demolition Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the demolition period. The statement shall provide for:

A) measures to control the emission of dust and dirt during demolition and construction; and

B) a scheme for recycling/disposing of waste resulting from demolition and construction works. No burning of waste to be undertaken on site.

8. No development shall take place until a site investigation of the nature and extent of contamination has been carried out, by a suitably qualified competent person, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. A written report of the findings of the site investigation shall be made available to the local planning authority before any development begins.

The written report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. The report is subject to the written approval of the local planning authority.

9. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation. The detailed remediation scheme should not be submitted until written approval for Condition 1 has been received from the local planning authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA

document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

10. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority. The verification report contents must be agreed with the local planning authority before commencement of the remediation scheme.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2012).

11. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of duration to be agreed in writing with the local planning authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority.

Within six months following the completion of the measures identified in that scheme and the achievement of the remediation objectives, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

12. The development shall be carried out strictly in accordance with the recommendations identified in Section 9 of the Ecology Survey Report produced by Just

Mammals Consultancy LLP dated August 2018. The identified measures shall be adhered to and implemented in full and maintained thereafter.

## **Reasons**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. In the interest of highway safety and free flow of traffic in accordance with policy T1 and DM13 of the Powys Local Development Plan and TAN18 and Planning Policy Wales.
4. In the interest of highway safety and free flow of traffic in accordance with policy T1 and DM13 of the Powys Local Development Plan and TAN18 and Planning Policy Wales.
5. In the interest of highway safety and free flow of traffic in accordance with policy T1 and DM13 of the Powys Local Development Plan and TAN18 and Planning Policy Wales.
6. To ensure that the amenities of local residents are safeguarded in accordance with policy DM13 of the Powys Local Development Plan 2018.
7. To ensure that the amenities of local residents are safeguarded in accordance with policy DM13 of the Powys Local Development Plan 2018.
8. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys County Council Local Development Plan 2018.
9. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys County Council Local Development Plan 2018.
10. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely

without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys County Council Local Development Plan 2018.

11. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DM10 of the Powys County Council Local Development Plan 2018.

12. To comply with Powys County Council's UDP Policies DM2 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning, the Conservation of Habitats and Species Regulations 2017, the Wildlife & Countryside Act 1981 (as amended) and Section 6 of the Environment (Wales) Act 2016.

## **Informative**

Birds - Wildlife and Countryside Act 1981 (as amended)

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

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- Intentionally kill, injure or take any bats.

- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under the Habitats Regulations it is an offence to:

- Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 that works to trees or structures where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0845 1300 228 or email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk)

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