



## Cyngor Cefn Gwlad Cymru Countryside Council for Wales

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Ein cyf/Our ref: DH/LB/SJ24.1.30 ID 1186154

Eich cyf/Your ref: P2009/0024

WREXHAM COUNTY  
BOROUGH COUNCIL

- 2 MAR 2009

PLANNING DEPARTMENT

27<sup>th</sup> February 2009

Dear Sir

### TOWN AND COUNTRY PLANNING ACT 1990

#### RENOVATION OF DWELLING AND OUTBUILDING AND CONSTRUCTION OF EXTENSIONS

#### RUABON/LLANTYSILIO MOUNTAINS AND MINERA SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI) AND BERWYN AND SOUTH CLWYD MOUNTAINS SPECIAL AREA OF CONSERVATION (SAC)

Thank you for your consultation dated 19th January 2009, referring to the above proposal.

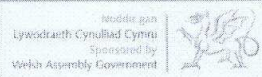
In discharging its functions under section 130 of the Environmental Protection Act 1990, The Countryside Council for Wales champions the environment and landscapes of Wales and its coastal waters as sources of natural and cultural riches, as a foundation for economic and social activity, and as a place for leisure and learning opportunities. We aim to make the environment a valued part of everyone's life in Wales.

CCW objects to the proposal, because in our opinion, as explained below, there is not enough information about the proposal for us to assess its possible effects.

#### Reason for objection

The application site, in view of its location, may support species of bird, or mammal protected under the provisions of the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats & c.) Regulations 1994 (as amended).

The presence of a protected species is listed as a material planning consideration under the provisions of Planning Policy Guidance Wales and Technical Advice No. 5. Consequently, to



*Gofalu am natur Cymru - ar y tir ac yn y môr • Caring for our natural heritage - on land and in the sea*

l:Tim Gwaith Achos Casework Team MOLD/Responses/SJSJ24/WCBC Eisteddfod Farm 1186154 27 February 2009.doc  
Prif Swyddfa/Headquarters

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<http://www.ccw.gov.uk>

assist the decision making process, we recommend that species identified in Table 1 (below), are subject to survey using techniques indicated at the appropriate time of year. Our reasoning for this is because we cannot rule out possible adverse effects of this proposal until we are in receipt of further ecological information. To ensure that these surveys are adequate, specialist consultants, or similar, should be utilized. It is only when this information is available that the likely impacts (if any) of the proposed development on any ecological features can be fully assessed. In our view, the application must not be subject to determination until an appropriate ecological survey has been submitted to the satisfaction of the local planning authority.

If the application site supports a European Protected Species, such as one or more species of bat, development may only proceed, under a licence issued by the Welsh Assembly Government (WAG), who is the appropriate authority responsible for issuing licences under Section 44 (2) (e) of the above Regulations. This licence can only be issued for the purposes of:

“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature, and beneficial consequences of primary importance for the environment.”

Furthermore, the licence can only be issued by the Welsh Assembly Government on condition that there is:

“no satisfactory alternative”, and that

“the development will not be detrimental to the maintenance of the population of the species concerned at a favorable conservation status in their natural range.”

As the Authority responsible for considering this planning application, you are advised to take into account the above during your deliberations.

If shown to be present, we advise that the applicant be conditioned to propose and deliver protected species compensation and mitigation schemes to the satisfaction of the local planning authority. We anticipate that appropriate mitigation will entail the implementation of Reasonable Avoidance Measures (RAMs), such as timing of operations, whereas compensation schemes will include bat friendly building design and long-term provision of roosting sites.

#### Protected Sites

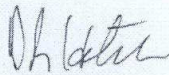
Eisteddfod Farm is very close to the protected sites mentioned above (please see attached map). It is not entirely clear from the location plan provided with the application documents, whether or not any part of the development area lies within these sites. If the development area is entirely out side of the SSSI and SAC, provided that no operations associated with the

development are to take place beyond this, a significant effect on these sites is unlikely. However, if consent is to be given for any potentially damaging activity within the sites' boundaries, further consultation with CCW will be required. Attached, for information, is a copy of the list of operations likely to damage the SSSI's special interest.

To conclude, we can give further views when provided with the information requested above in respect of protected species. In the meantime, CCW objects to the proposal.

Please do not hesitate to contact us if you require further information or clarification on any of the above. We would be grateful if you could inform CCW of your Authority's decision.

Yours sincerely



**Dr D R Hatcher**  
**North Region Casework Officer**  
**Casework Team**

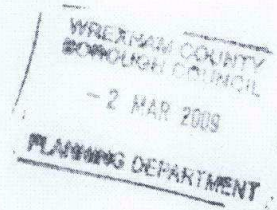


Table 1

| Species     | Scientific Name | Survey Type/Technique              |
|-------------|-----------------|------------------------------------|
| Bat Species | Chiroptera      | Roost Survey <sup>#1</sup>         |
| Bird        |                 | Breeding Bird Survey <sup>#2</sup> |

<sup>#1</sup> - See Bat Conservation Trust (2007). Bat Surveys - Good Practice Guidelines. Bat Conservation Trust, London

<sup>#2</sup> - See also Gilbert et al (1998) Bird Monitoring Methods



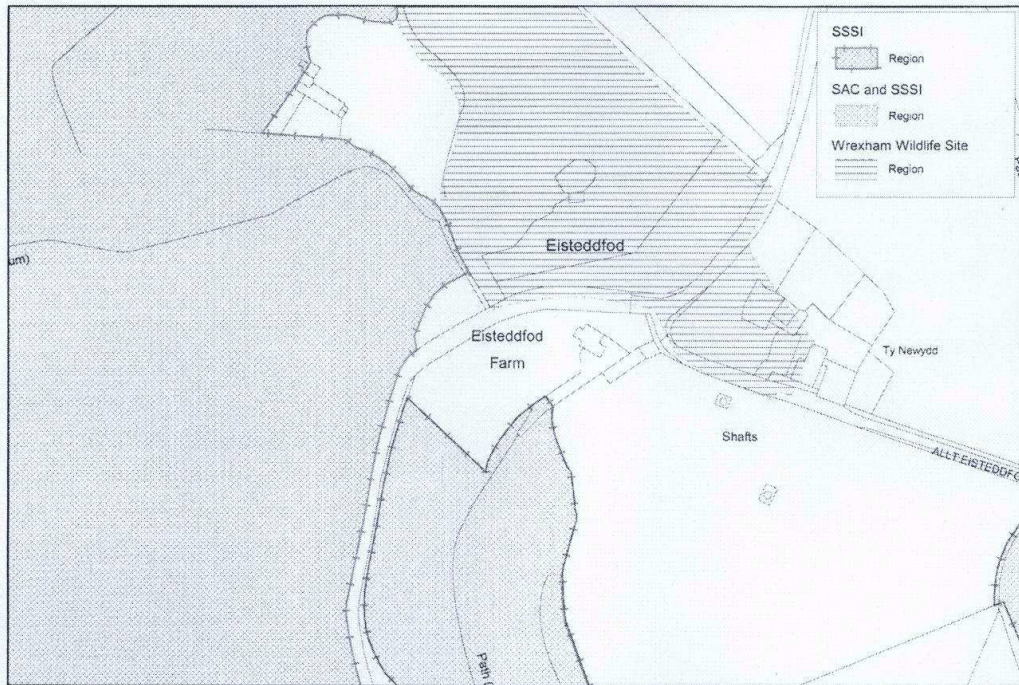
List of PDO's for Ruabon/Llantysilio Mountains and Minera (SSSI)

21 FEB 2009

Number Type of Operation

- 1 Cultivation, including ploughing, rotovating, harrowing and re-seeding.
- 2 Any alteration in the present pattern or frequency of grazing by farm stock.
- 3 Changes in stock feeding practice.
- 4 Any alteration in the present pattern or frequency of mowing or cutting vegetation.
- 5 Application of manure, fertilisers and lime.
- 6 Application of pesticides, including herbicides (weedkillers).
- 7 Dumping, spreading or discharge of any materials.
- 8 Changes in the pattern or frequency of burning.
- 9 The deliberate introduction of any wild or domestic animal\*, plant or seed.
- 10 The killing or removal of black grouse.
- 11 The destruction, removal or pruning of any plant or plant remains, including tree, shrub, herb, hedge, moss, lichen, fungus or turf.
- 12 Tree planting, including afforestation. Changes in woodland management, including clear and selective felling, thinning, coppicing, modification of the stand or underwood and changes in species composition.
- 13a Modification of drainage, including moor-gripping and the use of mole, tile, tunnel or other artificial drains.
- 13b Modification to rivers, streams, springs and ditches, including their banks and beds, by re-alignment, re-grading, dredging or cleaning.
- 13c Management of aquatic and bank vegetation.
- 14 The changing of water levels and tables and water utilisation including irrigation, storage and abstraction from existing water bodies and through boreholes.
- 15 Infilling of ditches, drains, ponds, pools, marshes or pits.
- 20 Extraction of minerals, including peat, topsoil, sub-soil, limestone pavement and scree.
- 21 Construction, removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches, spoil mounds, waste tips or other earthworks.
- 22 Storage of materials on, in or against rock faces and cave or mine entrances.
- 23 Erection of permanent or temporary structures or the undertaking of engineering works, including drilling and the laying, maintenance or removal of pipelines and cables, above or below ground.
- 24 Modification or blocking of cave and mine entrances. Modification of rock faces by battering, buttressing, grading and seeding. Clearance of boulders, large stones, loose rocks or scree.
- 25 Removal of geological specimens, including rock samples, minerals, stalagmite or stalactite formations from within the cave system.
- 26 Use of vehicles likely to damage grassland, wetland and moorland vegetation or to disturb nesting birds.
- 27 Recreational activities (e.g. motorcycling or horseriding), within the control of the owner or occupier likely to damage the moorland, grassland, or wetland vegetation or to disturb nesting birds.
- 28 Change in game management.

WREXHAM COUNTY  
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