

**Application Number:** 19/0787/COU

**Date Received:** 08.10.2019

**Applicant:** Mr Alkhafaji

**Description and Location of Development:** Carry out conservation repairs to the Former Dairy and Laundry (The Bothy) and change the use of the Stables and Coach House building to a mixed use of 7 No. new residential units and stables - Ruperra Castle Estate Rudry Road To Craig Llan Rudry

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: Ruperra Castle, Rudry, Caerphilly. The site is located in the open countryside approximately seven miles to the north east of Cardiff and also approximately seven miles to the west of Newport. The nearest settlement to it is Draethen village which is located to the north, at a distance of just over a half of a mile. The site is bounded in all directions by undeveloped land. To the north is woodland, with the land to the east, west and south being open fields.

The site is bounded by a wall along its northern and southern boundaries, by a fence along its western border, and a ha-ha along the eastern side. This latter feature is a low castellated boundary wall which separates the former pleasure grounds of the castle from the parkland beyond.

Site description: The proposals lie within the grounds of Ruperra Castle, which is a scheduled ancient monument, a grade II\* listed building and within a site where there are other (Grade II) listed buildings and curtilage buildings, this site being delineated by a random rubble stone boundary wall. The site also lies within the Ruperra Castle Conservation Area designated on 29/09/1998, as well as grade II registered historic park and garden at Ruperra Castle PGW (Gm)17(CAE). The Site of Special Scientific Interest (SSSI) had a date of notification of 30 March 2011 and includes part of the site as well as land to the North and East of the application site's boundary. Other nearby Scheduled Monuments include GM511 Ruperra Hillfort and Motte and GM590 Ruperra Castle lower summerhouse.

Development: Carry out conservation repairs of the Former Dairy and Laundry (The Bothy) and change of use of the stables and Coach House building to a mixed use of seven new residential units and stables.

Alterations and Repairs for the Stables and Coach House are summarised in the submitted documentation as follows:-

### Roof

Make Repairs to the existing roof by stripping the existing slate tiles and set aside for reuse where possible, remove all lead to ridges, hips, valleys and the like, making repairs to the roof structure. Reinstatement of roof structure over east wing, adjacent to the garden wall, with new to match existing adjacent including hip to south end. Incorporation of conservation rooflights and reinstatement of flat roofed dormers to the rear north elevation.

Remove all rainwater goods, and reinstate with new cast iron to match the existing. Make repairs to the eaves, fascias and soffits and redecorate in paint finish. Reinstatement of lead roll rides, hips and the like, on new treated timber cores. Reinstatement of lead valley gutters, abutments and upstands, chimney flashings. Repair and renovate cupola, including paint decoration, and relocate over central arched entrance to include weather vane feature.

### Walls

Make repairs to existing cement render including projecting plinth at ground level. Remove any loose or badly cracked areas and repair in cement render to match existing.

Form new external wall with cement render on blockwork dry lined with cork insulation and lime plaster.

### Windows and Doors

Entrance gates and doors to courtyard - Both to be removed, renovated and replaced. All windows to be removed for repairs/renovation including carefully recording location of each prior to removal (windows beyond repair will be carefully recorded and replaced with a new timber window).

Repair and renovate bay window complete to south east corner to match existing adjacent.

Sliding/folding doors to the courtyard undercroft area to be removed and renovated or renewed including metal door gear.

New painted timber screens and doors, behind renovated doors, to new residence in undercroft.

Windows to the fire damaged east wing first floor are missing and are to be replaced with new painted timber windows.

Provide new entrance doors to residences to the north upper elevation.

All joinery - To have linseed paint finish.

### Other

Metal canopy in courtyard - To be carefully recorded and dismantled for repair and renovation. Metalwork to have protective paint finish with patent glazing to the upper section adjacent to the building.

Renovate and reinstate timber truss arch formers to the underside of the entrance arch including timber lath and cement render ceiling. Retain timber hatch to act as ventilation for void.

Provide new bridge (same location as existing) to residence on north elevation with steps down from upper area. For emergency exit only.

Doors to be kept locked.

Repair and renovate perimeter footpath to the south and west elevations and south and west of the courtyard

Repair and restoration works to internal walls, ceilings, doors, staircase and new works where required. Works to provide underfloor heating and new flooring.

### Walls

Form new timber stud partitions with wood-wool boards and lime plaster finish. Insulate between the studs around bathroom areas.

Make repairs as necessary to rendered walls generally within the stables at ground and first floors. All water damaged plaster to be removed and replaced with lime plaster.

Retain and refurbish existing timber wall panelling principally in the stable areas including single stable in north west corner.

Repair and redecorate stable stalls.

Form new door openings where indicated on the drawings.

Finish all walls with breathable paint (except stables).

### Ceilings

Make repairs to the ceiling in the smaller stable block to the north west.

Ceilings are metal lath and lime plaster. To have breathable paint finish.

In areas of water ingress ceilings in poor condition from rusted lathing. These areas to be removed and renewed.

All new ceilings around central front section under the cupola where in very poor condition.

Finish all ceilings with breathable paint (except stables).

### Other

All existing doors, frames and architraves to be retained and restored with linseed paint finish.

All new doors to be boarded panel doors to match original joinery.

To existing staircase retain all handrails, newels and spindles. Restore and redecorate.

Remove all existing mechanical and electrical services in the building including external modern extract vents, lighting and the like.

Provide new mechanical and electrical installations with all extract vents, soil pipes, lighting and the like discretely integrated and concealed within refurbished elements of the building.

### Former Dairy and Laundry

#### Roof

Strip the slate tile roofs complete including battens, felt and associated leadwork valleys and the like. Set aside slate tiles for re-use.

Supply and lay bituminous roofing felt (type 1F) and new treated battens and re-lay slate tiles using only those in sound and re-useable condition.

Supply new slate as necessary randomly mixed in with re-used tiles.

Renew lead to lead roll flat roof over front main section. Replace the deck of the flat roof complete.

Renew all lead roll ridges and hips including timber cores.

Renew lead flashings to existing chimney stacks. Repoint stacks in lime mortar.

Repair/renovate existing timber and metal cupola and redecorate.

Make repairs to existing eaves fascia and soffits in treated timber and redecorate in paint finish.

Remove all rainwater goods and renew with cast iron to match existing removed.

Remove rooflight to rear of main roof and make good in slate tiling.

### Walls

Make repairs to existing render including projecting plinth at ground level.

Remove any loose or badly cracked areas and repair in cement render to match existing.

### Windows and doors

All windows to be removed for repairs/renovation including carefully recording location of each prior to removal (windows beyond repair will be carefully recorded and replaced with a new timber window). Make repairs to those to be retained.

Supply and fix new painted timber casement windows to match existing removed.

Adjust first floor openings to yard main elevation to match existing adjacent to rear wings at first floor re-use former openings to insert new windows to match existing adjacent.

Replace windows with new more sympathetic windows.

Provide new painted timber doors from hall into yard to match existing example.

Remove modern timber screens to either end of the entrance arch and insert new timber screens in keeping with other windows above.

### General

Remove external boiler house, roof and flue and make good.

Remove external drainage and vent pipes and make good.

Make repairs to and re-build retaining wall (as necessary), in re-used stone (to match existing detail) in same position. Remove steps to rear (currently in poor condition) and replace with retaining wall to match existing.

Remove all extraneous mechanical and electrical fittings from the exterior, cabling and the like and make good.

### Internal - Ceilings

All ceilings to be repaired where and as necessary with larch laths and lime plaster.

### Walls

Make repairs to cracked or damaged plaster finishes including removing loose areas and make good with lime plaster.

All gypsum plaster is to be removed, as it will not allow the solid walls to breath. Make good with lime plaster.

Form cloakroom areas in locations shown on the drawings within hallways using timber stud partitions.

Form kitchen areas within rooms.

Form bathroom areas to first floor within.

Form en-suite bathrooms by altering partitions.

Remove existing partitions at first floor to create views to front and rear.

Make good to ceilings and floors with like for like materials.

### Floors

Make repairs to first floor floors using floor boards to match existing.

### Other

Repair existing panel doors and architraves.

Reinstate lost dado detail to the walls generally.

Reinstate tall moulded skirting to match existing where necessary.

Repair and redecorate existing.

Reinstate simple turned spindles and newel posts with moulded handrail to the main staircases.

### South Gates

Linear wall of random rubble stone, 1.5m in height, and castellated suggesting that this was the grander main entrance to the castle. There are pedestrian gates to the south east corner that linked into the former east park and also on the south axis of the castle. Future works will involve raking out cement mortar as part of essential repairs, not comprehensive repointing, and pointing in lime mortar.

The main entrance at the west end is to be altered with the opening widened to allow two cars to pass with one of the existing pillars being dismantled and re-built. There are to be a new set of metal gates.

In terms of the overall residential accommodation to be provided on site the Bothy would comprise of two dwellings both of which are 3 bedroom.

The converted Stables and Coach House would have seven apartments with the following accommodation:

1 x 1 bedroom apartment.

5 x 2 bedroom apartments.

1 x 3 bedroom apartment.

The application is supported by the following documents: -

Description of Works,

Heritage Impact Assessment,

Landscape Masterplan,

Landscape and Visual Appraisal illustrative,

Design and Access Statement,

Ecological Impact Assessment,

Transport statement, and  
Tree Survey.

Dimensions: The area upon which development will take place totals 1.17 hectares.

The Dairy and Laundry (Bothy) building measures approximately 26.5m wide on the principal elevation with two 'wings' which project behind to a depth of 9.6m. The building has a ridge height of approximately 9m.

The stables and Coach House has a part two storey, part single storey principal elevation which measures approximately 39m in width. Two wings return from each corner of the building for a distance of approximately 36m to meet a further wing parallel to the principal elevation across the other side of a central courtyard that the building is arranged around. The building at its highest has a ridge height of around 8.5m.

An entrance gate pillar (approximately 0.7m by 0.7m and 3m high) would be dismantled and rebuilt to form a wider entrance (circa 4.5m wide).

Materials: As indicated above some of the finishes to the buildings are indicated but where they are not and if consent is granted a condition may be imposed in respect to the material finishes to be used.

Ancillary development, e.g. parking: A total of 22 parking spaces (including two visitor spaces) are proposed on land in front of the Bothy and in front of the south elevation of the Coach House and stable block with planting surrounding these spaces. Passing bays on the entrance road are also proposed to improve access.

#### PLANNING HISTORY 2005 TO PRESENT

P/02/0774 - Refurbish existing building and construct new houses and access road - Withdrawn 05.07.2006.

P/02/0773 - Refurbish castle, outbuildings and ancillary works for residential purposes and the construction of eighteen new dwellings with access road and change of use of the Generator House to a bat roost - Refused 24.01.2008.

17/0739/FULL - Provide a rectangular (30 x 50 metre) fenced horse riding manege in the outdoor arena to the west of Ruperra Castle, with a 1200mm wide pathway all around the manege - Granted 25.01.2018.

#### POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021.

Site Allocation: Outside of the settlement boundary, within the Ruperra Castle and Grounds, Draethen Site of Importance for Nature Conservation (SINC) identified by Policy NH3.179, within the Rudry Visually Important Local Landscape identified by Policy NH2.4 and within the Ruperra Castle and Park Rudry Conservation Area. It is within the Ruperra Castle Conservation Area designated on 29/09/1998, as well as being included on the 2000 Cadw and ICOMOS UK Register of Landscapes, Parks and Gardens of Special Historic interest in Wales (Part 1: Parks and Gardens) as Grade II. The Site of Special Scientific Interest (SSSI - date of notification 30 March 2011) encompasses part of the application site and extends outside of and to the North and East of the application site's boundary.

Policies: Local Development Plan:  
Strategic Policies

Policy SP3- Development Strategy in the Southern Connections Corridor, SP5 - Settlement Boundaries, SP6 - Place making, SP7 - Planning Obligations, SP10 - Conservation of Natural Heritage, SP21 - Parking standards.

Countywide Policies

CW1- Sustainable Transport, Accessibility and Social Inclusion, CW2 - Amenity, CW3 - Design Considerations (Highways), CW4 - Natural Heritage Protection, CW6 - Trees, Woodlands and Hedgerow Protection, CW11 - Affordable Housing Planning Obligation, CW15 - General Locational Constraints, CW20 - Locational Constraints - Conversion, Extension and Replacement of Buildings in the Countryside.

Supplementary Planning guidance contained in LDP1 - Affordable Housing Obligation (Revision) - Updated October 2018, LDP4 - Trees and Development (January 2017), LDP5 - Car Parking Standards (January 2017), LDP6 - Building Better Places to Live (January 2017), LDP10 - Buildings in the Countryside (January 2012).

Biodiversity Action Plan March 2002.

NATIONAL POLICY The statutory protection under the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Historic Environment (Wales) Act 2016, means that under section 7(1) 'any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest,' require listed building consent, and an associated Listed Building Consent application is also being brought before members.

The fact that the application site is within the Ruperra Castle Registered Historic Park and Garden is a material consideration when proposing changes to the buildings / structures within it.

Planning Policy Wales Edition 11 (February 2021) states:  
Listed Buildings

6.1.10 There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage.

For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.'

6.1.11 For listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future.'

6.1.13 Applicants for listed building consent must be able to justify their proposals, show why the alteration or demolition of a listed building is desirable or necessary and consider the impact of any change upon its significance. This must be included in a heritage impact statement, which will be proportionate both to the significance of the building and to the degree of change proposed.'

#### Conservation Areas

6.1.14 There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised.'

6.1.16 Preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed.'

#### Historic Parks and Gardens

6.1.18 Planning authorities should value, protect, conserve and enhance the special interest of parks and gardens and their settings included on the register of historic parks and gardens in Wales. The register should be taken into account in planning authority decision making.'

6.1.19 The effect of a proposed development on a registered park or garden, or its setting, is a material consideration in the determination of planning applications.'

#### Sites of Special Scientific Interest

6.4.17 SSSIs are of national importance. The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000, places a duty on all public bodies, including planning authorities, to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the

features by reason of which a SSSI is of special interest. SSSIs can be damaged by developments within or adjacent to their boundaries, and in some cases, by development some distance away.

There is a presumption against development likely to damage a SSSI and this presumption should be appropriately reflected in development plans and development management decisions. In particular, before authorising development likely to damage any of the notified features of a SSSI, planning authorities must give notice of the proposed operations to NRW, and must take its advice into account in deciding whether to grant planning permission and in attaching planning conditions. For the purposes of land use planning proposed SSSIs will be treated in the same way as notified SSSIs.'

TAN 24: The Historic Environment May 2017 states:

5.9 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires any works of demolition, alteration and/or extension which would affect the character of a listed building to be authorised through the process of listed building consent.... When considering any applications for listed building consent, the local planning authority or the Welsh Ministers must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Consent is not normally required for repairs, unless they involve changes that would affect the character of the listed building.'

Para 6.7 states ....'Generally, there will be an emphasis on controlled and positive management of change that encourages economic vibrancy and social and cultural vitality, and accords with the area's special architectural and historic qualities.'

It is important to recognise that doing nothing is not an appropriate option for listed buildings that are in a poor state of repair that are continuing to deteriorate and that are also on the National Buildings @ Risk Register, compiled by The Handley Partnership on behalf of Cadw (last updated in CCBC in Nov 2015). All buildings/structures outlined above are graded At Risk (3) - in a poor condition on the Buildings @ Risk Register as of Nov 2015.

The proposals, as submitted, are stated to be intended to conserve, repair, refurbish and give a new lease of life to redundant buildings or buildings partially in use as stables and residential use that are currently in a poor state of repair and not used to their best potential.

Managing Listed Buildings at Risk in Wales May 2017 states:

#### 4.1 Condition

Listed buildings are a valuable and finite resource, and contribute to our well-being. Their stable or improving condition is not only a measure of well-being, but also crucial for their long-term survival, so it is important to prevent risk caused by neglect or decay. It is vital to keep risk at bay through regular maintenance and repair. Minor repairs and routine maintenance can avoid the need for more expensive work, and help give listed buildings an indefinite life. This is normally the responsibility of owners, but local authorities may be able to provide advice and encouragement.'

In addition:

'It may be realistic to consider a phased programme of works. This can help buy time: bringing a building back into use incrementally may help with the financing of complex and expensive projects.'

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this application.

### CONSULTATION

Heritage And Placemaking Officer - Has no objection to the development subject to conditions being attached to any consent requiring the development to be carried out in accordance with the approved plans and details of materials to be submitted for consideration and approval in writing with the Local Planning Authority.

Ecologist - No response received to latest reconsultation. Previous consultation response state a holding objection and consider issues outstanding are a lack of biodiversity enhancement (recommended that this is focused on the condition of the generator block). Advises that the presence of Great Crested Newt on site will require further details in respect of drainage to prevent killing and injury through entrapment. Notes a licence may be required for Great Crested Newts in addition to bats.

Ruperra Conservation Trust - We are of the view, that the proposed development represents a significant threat to one of only five breeding colonies of Greater Horseshoe bats in Wales. As these bats are a species of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales, we still consider that the precautionary principle should be applied and this application refused. Raise concerns with submitted reports and proposals and upon the development's impact on other wildlife (e.g dormice, badgers, reptiles, Great Crested Newts).

The potential threat to the Greater Horseshoe Bats and the SSSI more generally from the proposed developments raise planning issues of more than local importance and therefore it would be appropriate for the planning applications to be called in and determined by the Welsh Ministers in accordance with the procedure set out in Planning Policy Wales.

Raise objection to the development and note it would increase vehicular traffic considerably across open farmland within the greenbelt as well on local roads. Advise that Police comments on external lightings and windows would conflict with local and national planning policy on the need to combat climate change and to protect the area's heritage, habitats and biodiversity. Also highlight issues on Rights of Way.

Senior Arboricultural Officer (Trees) - Recommends the imposition of a planning condition for passing bays from the public highway to the gates south of Ruperra Castle and confirms that the effect on adjacent trees and hedgerows has been assessed. Advises that further details on locating the internal passing bay and relocation of gate pier alongside additional replacement tree planting should be required.

Welsh Historic Garden Trust - 1. The proposals are described as "Phase I" but there is inadequate information to properly assess the cumulative effect on the historic garden of the next phase (whatever that is) and thus properly determine these applications.  
2. We are concerned that the applicants do not understand the significance of the Ruperra Estate, nor the impact on it of their proposals and the activities they will generate.  
3. The impact on the layers of history on this site have been understated  
4. The proposal fragments this important layered landscape and would harm the essential setting  
5. The proposals pay scant regard to the significance of the garden and its setting.  
6. The applicant should provide Caerphilly CBC with more information on the impact on the setting and the cumulative effect of this development. Also an assessment of its potential harm is needed and convincing justification for this proposal as it will have a deleterious effect on all of the historic assets within the registered park, the buildings and gardens and the main feature at the heart of the estate, the Castle.  
7. These proposals do not accord with the Wellbeing of Future Generations Act (WFGA).

Overall, the Welsh Historic Gardens Trust consider that this proposal will have an adverse impact on Ruperra Castle, a Scheduled Ancient Monument (SAM) and Grade 2\* listed building and on the Grade II Registered park plus the local and wider landscape.

Dwr Cymru - Provide advice to be conveyed to the developer.

Glamorgan-Gwent Archaeological Trust - Recommend historic recording and a watching brief as mitigation for this development.

Natural Resources Wales - It is considered that our concerns can be overcome by the imposition of conditions requiring that works are carried out in accordance with specified submitted details.

Police Architectural Liaison Officer - Recommends properties meet Secured by Design standards and provide advice in this regard.

Ruperra Castle Preservation Trust - Raise objection to the application as it is considered that the proposed works would have an unacceptable impact on the castle and its surroundings and the impact of the proposal on highway safety and the right of way.

Welsh Government Network Management Division - No objections on trunk road highway network grounds or further comments. This is remote from the trunk road and motorway network.

Cadw - Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens.

Transportation Engineering Manager - CCBC - No objection subject to conditions.

Senior Engineer (Drainage) - No objection subject to the imposition of a condition requiring the submission of a scheme of land drainage.

Rights Of Way Officer - Raises objection on the basis that the gates at the entrance to the application site obstruct a right of way.

CCBC Housing Enabling Officer - On the basis that the provision of affordable housing has been proven to be unviable, no objection is raised.

Environmental Health Manager - No objection subject to a condition being attached to any consent in respect of the control of feedstuffs and waste associated with the stables.

Landscape Architect - CCBC - The works are likely to have a negligible impact on the landscape character and visual amenity of the area.

Welsh Government Network Management Division

## ADVERTISEMENT

Extent of advertisement: The application has been advertised with site notices, press notice and two neighbour notification letters.

Response: In respect of the four applications (19/0787/COU, 19/0788/LBC, 19/0789/COU, 19/0790/LBC) submitted for the Ruperra site a total number of 85 objections (both from individuals and organisations/interest groups) have been received.

## Summary of observations:

The basis of the objections raised are as follows:-

- Comprehensive plans/ masterplan for whole site (including the castle) should be submitted and considered.

- Concern with the stability and deterioration of the castle.
- Impact on the castle. The proposals will further damage the castle's character and authenticity.
- Adverse impacts on Listed Buildings, the Conservation Area and Historic Park and Gardens.
- Highlights the Scheduled Ancient Monument and Listed Building designations of the castle and ancillary buildings together with the wider landscape which indicates the whole estate has unique heritage conservation potential.
- Any piecemeal development without considering the site as a whole would adversely affect both the Area of Special Landscape Value and destroy the built heritage survival of a high status site occupied for over 2000 years.
- Attempts to encourage incoming economic growth in Cardiff and Newport could be spoiled should the Castle's special character be lost to additional housing development.
- Castle should be included into the Council's Sustainable Tourism strategy and its Heritage Use and Conservation planning.
- Provides examples of restoration/conservation and reuse (Astley Castle Nuneaton, Lulworth Castle Dorset, Highcliffe Castle Dorset, Woodchester Mansion, Gloucestershire).
- Registered gardens and woodland should be protected.
- Poor management of trees and burning of rubbish.
- Dangerous to allow these buildings (particularly thee Bothy) to have a change of use so close to a dangerous derelict castle.
- Impact of building works and vehicles on castle.
- To allow any piecemeal development of the outbuildings would degrade this historic asset.
- Applications do not further the repair and survival of the castle.
- Granting planning for a small part of the site for residential use will impair the ability to save the castle longer term and restrict what can be done once residents are living there.
- Increased light and noise pollution will have adverse impact on bats and dark countryside.
- Adverse impact on the context and integrity of the castle landholding and setting.
- Proposals Ignore the Climate emergencies which we face (private car use/spread of concrete surfaces) and is not sustainable.
- Threatens future of the greenbelt if a new access road across open farmland is approved setting a precedent for further development
- Represents short term profit making.
- There should be a comprehensive redevelopment proposal involving the castle.
- Adverse Impact and/or loss of the SINC/SSSI protected Greater Horseshoe Bat maternity roost/colony in the old generator block and associated dark corridor of vegetation which provide routes to foraging areas such as the nearby woodlands and pasture by reasons of construction work and also the introduction of light, noise and traffic by future residents and associated visits/deliveries.

- The maternity bat roost is of national and international importance and the precautionary principle should be applied, and any development that may risk having a negative effect on the roost should be refused. Highlights the legal protections afforded to bats.
- Introduction of potential predators to the bats such as domestic cats.
- Proposals for a new bat house as mitigation are unsuitable and unacceptable.
- May adversely affect other wildlife in the neighbouring woodland.
- SSSI designated with other protected species include Greater Crested Newts and Common Dormouse.
- Adverse impact on ecology. Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions.
- Access unsuitable for traffic.
- Contrary to Future Generation Wales Act resilient Wales.
- Past actions to clear vegetation have shown the owners' disregard for ecology and the natural environment.
- Query how the case for housing has been tested.
- The change of use would introduce domestic paraphernalia which would impact on the historic grounds.
- The 13 acre site around the Castle should be held by some body or organisation to create a small country park, linked to adjacent land holdings by one or two agreed footpaths/rights of way and that a plan should be formulated and money raised by some means to buy the site, or at least maintain it.
- If approved a legal agreement should require no building may be sold or occupied until the castle has been transferred to a heritage body with a financial contribution.
- The amended Design and Access Statement is inadequate.
- Priority needs to be given to repairing the most important structure - Ruperra Castle, rather than one of the least important buildings on its Estate.
- Vegetation was cleared before the manege was built, but there is no sign of the replacement tree planting required as a condition of that approval.
- Question why no additional ecological survey information has been made available.
- Question the findings of the Lighting Report - there are bound to be significant adverse impacts from the artificial lighting proposed and these impacts also extend to application numbers: 19/0787/COU and 19/788/LBC for the Stables and Coach house.
- It is not fitting for nearby development to take place in the absence of any requirement for the repair of the imperilled structure of the Castle or the enhancement of the important estate grounds, given that both Castle and grounds are in the same ownership as the structures subject to the applications.
- Due regard should be given to the Wellbeing of Future Generations Act given the major historical, environmental and ecological issues at the site and Planning Policy Wales in terms of provision of a net benefit for biodiversity.
- Site has limited vehicular access and substandard highway network in area. Impact on use by walkers, cyclists and horse riders.

- Proposed Passing bays impact on wildlife, development in open countryside and increased traffic generation contrary to Policies CW3 (Highways) and CW19.
- Reinstatement of Public access.
- Since September 2019 there has been a major local policy change that reinforces our case. The devastating floods of February 2021 were a further demonstration of the County Council's foresight in declaring a climate emergency, and in pledging to review all of its policies and decisions in the light of the need for urgent action to stem further temperature rises. It includes taking action to reduce traffic, support active travel and increase biodiversity - as envisaged in the Sustainable Caerphilly Landscape (SCL) Masterplan 2020.
- From 1/2/2022 the gardens at Ruperra are now statutorily protected under the Welsh Government Heritage Act 2016
- Suggest CCBC start using adequate powers invested in it in order to stop the further deterioration of this site.

### 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?

There are no significant crime and disorder implications material to the determination of this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes.

The application site supports European Protected Species including, Greater Horseshoe Bats, Lesser Horseshoe Bats, Brown Long-eared Bats, Pipistrelle Bats, Natterers Bats, Serotine Bats and Great Crested Newts. The site supports the only known breeding and hibernation site within the county borough for Greater Horseshoe Bats and is one of only 3 known locations in the county borough for Lesser Horseshoe Bats. It also supports the county borough's largest known population of Great Crested Newts. The applicant has undertaken survey work and/or data collation for all protected species present on site and has provided a mitigation plan which demonstrates that it would be possible to develop the site while ensuring the protection of species present on site. Through the implementation of the mitigation plan, the imposition of conditions to provide additional protection to the species concerned it is considered that the nature conservation interests of the site can be adequately protected.

All species of Bats and Great Crested Newts and their breeding sites and resting places are protected under the Conservation (Natural habitats, &c.) Regulations 1984 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

The Local Authority therefore needs to apply the following three tests in respect of the development for each species affected by the planning application:

1. that there is no satisfactory alternative,
2. it will not be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range and
3. it is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

The three tests were applied and answered as follows:

- (i) It is not considered that there is any satisfactory alternative.
- (ii) Considering the advice received from Natural Resources Wales it is considered that, with relevant conditions, the proposal will not be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range.
- (iii) The proposals are of overriding public interest in safeguarding the sustainable future of Listed Buildings at risk on the Ruperra Castle site.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, the site falls within the Higher Charging Zone which is set at £40 per square metre.

#### ANALYSIS

Policies: The application has been considered in accordance with national policy and guidance, local plan policy and supplementary planning guidance. The proposals lie within the grounds of Ruperra Castle, which is a scheduled ancient monument, a grade II\* listed building and within a site where there are other (Grade II) listed buildings and curtilage buildings.

The main issues are the effect of the proposed development on the special architectural and historic interest of the buildings which are Grade II listed, the effect of the development upon protected species, the effect on the living conditions of future occupiers of the proposed dwellings together with highway considerations.

#### Background

The applications currently being considered are for the conservation repairs and conversion to residential use of two separately listed buildings within the Ruperra Castle site known as the former Brew House, dairy and laundry (also known as the Bothy) and the stables and coach-house courtyard ranges.

In addition, as part of these proposals, it is proposed that the south drive entrance with pillared gates be widened to allow for easier access by modern, wider vehicles. The

gates are 'listed' in their own right as they form part of the listing described as the 'castellated boundary wall to ha-ha to east and south of Ruperra Castle'.

The former Brew House and dairy and laundry to the north of Ruperra Castle is grade II listed (first listed on 15 Oct 1997 and later the description was amended on 05 March 1999 (Cadw ref. 18972) 'Listed for group value with Ruperra Castle and the adjacent stable and coach house courtyard.'

The stable and coach house courtyard ranges to the north of Ruperra Castle are also grade II listed (again first listed on 15 Oct 1997 and later the description was amended on 05 March 1999 (Cadw ref. 189671). 'Listed as a good example of Edwardian stabling and for its important associations with Ruperra Castle.'

The total group of listed buildings within Ruperra Castle are as follows: -

Former Brew House, dairy and laundry,  
Stable and coach-house courtyard ranges,  
Generator house and attached workshops,  
Glasshouse to the north-east,  
Summerhouse to the north-east, and  
Castellated boundary wall to ha-ha to east and south of Ruperra castle.

They are listed in their own right, as grade II whilst the castle itself is a scheduled monument (GM379 as of 2 Sept 1976) and also a grade II\* listed building (as of 08 May 1964). Those that are being considered as part of this application are the Former Brew House, dairy and laundry, Stable and coach-house courtyard ranges and castellated boundary wall to ha-ha to east and south of Ruperra Castle.

The site is within the Ruperra Castle and Park Conservation Area (designated by CCBC on 29 Sept 1998).

The site lies within the Ruperra Castle Historic Park and Garden that appears on the 'Glamorgan Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales Part 1: Parks and Gardens' that was designated by Cadw and ICOMOS UK.

The buildings that form the basis of these applications lie just outside of but are immediately surrounded by the SSSI boundary designated on 30th March 2011 referenced SSSI/13 named 'Ruperra Castle and Woodlands.'

It is understood that the scheduled Ruperra Castle (and grade II\* listed building) are intended by the applicant to form part of future applications, together with the 'grade II listed' generator house and attached workshops, glasshouse and summerhouse to the north-east of the site. 'A Masterplan' that sets out both the submitted Landscape Masterplan proposals (by McQuitty Landscape Design, September 2019) and the future aspirations of the existing remaining protected buildings on the site, is to be submitted with these applications to illustrate the owner's wider project ambitions for the site. In 2018 emergency works of stabilisation and the making safe of various elements of the

Castle were undertaken following scheduled monument consent from Cadw and funding from SAVE Britain's Heritage and Cadw. Preliminary options for the future of the castle are currently being considered by the owner. If detailed proposals come forward it is anticipated that these will be the subject of future applications(s) following discussions with the Local Planning Authority and Cadw.

It is important to recognise that doing nothing is not an appropriate option for listed buildings that are in a poor state of repair that are continuing to deteriorate and that are also on the National Buildings at Risk Register, compiled by The Handley Partnership on behalf of Cadw (last updated in CCBC in Nov 2015). The Dairy and Laundry and Stable and Coach House are both graded At Risk (3) - in a poor condition on the Buildings at Risk Register as of Nov 2015.

The proposals, as submitted, are essentially intended to conserve, repair, refurbish and give a new lease of life to redundant buildings or buildings partially in use as stables and residential use that are currently in a poor state of repair and not used to their best potential. The proposal is considered to accord with Policy CW20 for conversion of Buildings in the Countryside as in relation to the stable and coach house it is not abandoned (still being actively used as stables) and the proposed reconstruction works will be beneficial to the building and will not materially change its character. The proposals will not lead to any unacceptable domestication or urbanisation.

## ANALYSIS

### FORMER BREWHOUSE, LAUNDRY AND DAIRY BLOCK TO THE NORTH

This building has already been converted into two residential units and it is proposed to remain in residential use. It is proposed to replace out of character windows and to reinstate original windows that have previously been blocked up with fenestration sympathetic to the original form.

The proposed scheme also includes 'more sensitive treatment to the central arch' nearer in character to a photograph shown within the Heritage Impact Statement attributed as an early 20th century photograph of the main door to the Bothy. The proposed design does not seek to replicate exactly the architectural style of the door but is considered by the architect proposing the change to overall 'preserve and enhance this listed building.'

The proposed works are more akin to conservation repairs than works that will materially alter this building, given that it is already established as two residential units.

The north side of this building has a narrow sunken, stone-flagged path with a stone and brick revetment to the higher ground to the north; the ground having been levelled when the Bothy and later the stables were constructed. The proposal is to widen this path to provide a more usable amenity space to the north of the two dwellings.

The stone revetment wall to the east and rear appears to be on an historic boundary wall running north from the north-east tower of the castle, however, the corresponding wall to the north of the bothy is of lesser significance, since it does not appear on the wartime aerial imagery suggesting that it was built relatively recently. It is proposed to widen this path which would require an archaeological watching brief and is an opportunity to re-use the existing masonry elsewhere on the site.

## STABLE AND COACH HOUSE COURTYARD RANGES

The proposal for the whole stable and coach-house courtyard is to retain the stables and convert part of the building into 7 residential apartments including a significant degree of re-building where the east range suffered fire damage. More light is proposed to be achieved by the insertion of 3 pairs of Conservation-type rooflights to be located on the rear, northern elevation roofline. Original fenestration will be repaired and where window openings and styles have been lost, original style windows will be reinstated.

The re-roofing of the fire-damaged east range needs to be matched appropriately with existing slates on the adjoining slopes. These are of a greeny-grey hue that suggests a Westmoreland or a Pembrokeshire slate. An active quarry in Delabole, Cornwall is currently able to provide a similar colour of slate which is a good match.

The stables and furnishings within this range are of a particularly high quality, as recognised in Cadw's list description, and are being retained and used for stabling as part of this scheme. The carriage houses are currently open fronted with boarded gates but those to the north elevation are proposed to be enclosed to create additional living accommodation with recessed glazed frontages. The small-paned windows throughout are of varying sizes and need to be repaired or replaced on an exact like-for-like basis. Internally, the tack room to the west of the courtyard entrance is proposed to be subdivided and a small-paned internal door will be retained and used elsewhere in the building.

Car parking has been proposed to serve the 7 new residential units and the accommodation in the former laundry and dairy block, but they will not be provided within the central stables and coach-house ranges itself. This instead is to be utilized as an amenity space for residents, with soft landscaping and re-laid with stone setts, so it is not intended that vehicles pass under the main arch and through into the courtyard and carriage bays as carriages had done historically. As part of this application, these former carriage bays are intended to be used instead as lock-up storage areas for each apartment.

A total of 22 parking spaces (including two visitor spaces) are proposed on land in front of the Bothy and in front of the south elevation of the coach-house and stable block with planting surrounding these spaces. The area at present is a mixture of grass and hardstanding and the parking proposed accords with adopted Supplementary Parking Guidelines (LDP5). The single track entrance road is proposed to be amended to have

a number of passing places which are also deemed visually acceptable. The proposal accords with adopted Local Development Plan Policy CW3 (Highways).

### SOUTH DRIVE ENTRANCE

Works are also proposed within the LBC application to the grade II listed 'castellated boundary wall to ha-ha (a recessed landscape design element that creates a vertical barrier while preserving an uninterrupted view of the landscape beyond). The design includes a turfed incline that slopes downward to a sharply vertical face (typically a masonry retaining wall)) to the east and south of Ruperra Castle.' The walls and gates were first listed by Cadw on 16 July 1998 and the list description later amended on 5 March 1999 (Cadw ref. 20146).

One of the main entrances into the Ruperra Castle estate, the gate-posts at this location whilst intact, lacks the stone finials that are visible on the two gated entrances that lie further east along the south boundary wall. The historic gates are missing and are currently replaced by modern steel palisade type gates. Some masonry has been damaged as a result of a restricted access into the site when negotiating the tight turn. It is proposed to widen the entrance by 1.69m by carefully dismantling one of the existing pillars' masonry and relocating and re-building it and introducing it further down the boundary wall, by re-using all cappings, chamfered string courses with pointing to match the existing. The proposed new gates will be a pair of simply designed mild steel framed gates, with ball finials on top of the gates, all painted dark grey (RAL 7024), that are more sensitive and in keeping than the current modern palisade steel gate.

### HERITAGE IMPACT ASSESSMENT OF CURRENT PROPOSALS

It is considered that Ruperra Castle and its Environs are important within Caerphilly and indeed Wales as an important historical site with a number of historic designations.

Ruperra Castle itself is a Grade 2\* Listed Building (ref 14069), listed because Ruperra Castle is one of the most important Renaissance houses in South Wales. The Castle is also a Scheduled Ancient Monument (ref Gm379). The Ruperra Castle and grounds are also a grade 2 Registered Historic Park and Garden and the site is also within a designated Conservation Area.

In instances such as Ruperra Castle where buildings are both Listed and Scheduled the designation as a Scheduled Monument takes precedence. CADW have been consulted on the application and have advised that they have no objection to the proposed development in regards to the Scheduled Monuments (Ruperra Castle and Ruperra Hillfort and Motte) nor to the Registered Parks and Garden (Ruperra Castle).

The Stable and Coach-House courtyard ranges have been Grade 2 Listed by CADW (ref 18971) as a good example of Edwardian stabling and for its important associations with Ruperra Castle.

The Former Dairy and Laundry has been Grade 2 Listed by CADW (ref 18972) that is Listed and included for group value with Ruperra Castle and the adjacent stable and coach-house courtyard.

In addition there are other Listed Buildings at the site including the Generating House and attached workshops to north-west of Ruperra Castle (Grade 2), listed for group value with the castle and other buildings as a surviving estate building. There are also further Listed Buildings such as a glass house, summer house and Castellated boundary wall to ha-ha to east and south of Ruperra Castle.

The current proposals effect three elements of the heritage assets, the Stables, the Bothy and South gate. The proposed repairs needed to enable these changes to bring the stable courtyard and the Bothy back into use and to improve access will preserve these listed buildings for future generations. Once these works have been carried out it will enable the Local Planning Authority to remove them from the Buildings at Risk Register. These repairs will have a significant positive impact on the setting of the Castle and will preserve or enhance the various historical designations of Ruperra including scheduled monument, listed buildings, Conservation Area and the registered historic park and garden.

Glamorgan and Gwent Archaeological Trust have reviewed the application and have offered no objection to the proposals subject to planning conditions being attached requiring historic building recording of the structures prior to development taking place with an associated written scheme of investigation to be agreed with the Local Planning Authority. This would include an archaeological programme of works including a watching brief with sufficient contingencies to record any remains that may be encountered during the course of the works. It is considered that the proposed conditions are acceptable and will be imposed to ensure a suitable archaeological record is made of any features of archaeological interest discovered during the works.

## VISUAL IMPACT AND LANDSCAPE

The visual impact of the proposals is considered to have an acceptable impact on the site and its various designations with the restoration of key Listed Buildings such as the Former Dairy and Laundry (The Bothy) and Stable and Coach House building being a positive step according with Policy SP6 (Placemaking) and having no unacceptable impact on the Rudry Visually Important Local Landscape (VILL) designation under Policy NH 2.4. The associated works to create more formalised car parking and changes to the entrance gates and installation of passing bays are considered to be limited and proportionate in their visual impact and upon the Historic Park and Garden and other designations of the site. Landscaping is proposed and planning conditions are proposed to require finalised details to mitigate the impact on the grounds and setting of buildings of Ruperra.

## ECOLOGICAL CONSIDERATIONS

## Site of Special Scientific Interest - Ruperra Castle and Woodlands

A Site of Special Scientific Interest which is a national statutory protected site was notified by the Countryside Council for Wales (CCW) on the 30th March 2011. The designation was made as the only known nursery roost for the greater horseshoe bat *Rhinolophus ferrumequinum* in the Mid and South Glamorgan Area of Search and one of only five known nursery roosts of this species in Wales. The buildings at Ruperra Castle, situated in Lower Machen, Caerphilly, support a colony of greater horseshoe bats of national and international importance.

The building known as the generator block is used by the greater horseshoe bats to give birth and raise their young between spring and autumn. The old castle cellar is used by some of the greater horseshoe bats and by a small number of lesser horseshoe bats *Rhinolophus hipposideros* as a hibernation roost during the winter.

Coed Craig Ruperra, the woodland area to the north of the roost, is well used by the bats for foraging and commuting to more distant feeding and roosting areas.

Other protected species present within the site include a breeding population of the great crested newt *Triturus cristatus* in the ornamental pond within the castle grounds and the common dormouse *Muscardinus avellanarius*, which is present in Coed Craig Ruperra.

The SSSI area covers the castle footprint and land to the east of the Dairy/Laundry building (including the pond) and also an area to the west of the Stables/Coach House (including the generator block) and then extends northwards and encompasses a large area including the woodland with the total SSSI area comprising some 62.6 hectares of land.

Planning Policy Wales explains that statutory designation of a site such as a Site of Special Scientific Interest (SSSI) does not necessarily prohibit development, but proposals must be carefully assessed to ensure that effects on those nature conservation interests which the designation is intended to protect are clearly understood (paragraph 6.4.14).

In respect of SSSIs Planning Policy Wales confirms that there should be a presumption against development likely to damage a SSSI and before authorising development likely to damage any of the notified features of the SSSI, planning authorities must give notice of the proposed operations to Natural Resources Wales (the successor body to CCW) and must take its advice into account in deciding whether to grant planning permission and in attaching planning conditions.

Natural Resources Wales have been consulted on the proposals and have not raised formal objection to the development on the basis that they are satisfied that their concerns can be overcome by including plans and documentation submitted with the application on the approved plans condition and also by requiring a Landscape Ecological Management Plan (LEMP) to be part of a conditional approval. The

Landscape Ecological Management Plan would be required to be submitted prior to development commencing and has been proposed by Natural Resources Wales to ensure the site's landscape and environmental features are adequately managed long term.

## PROTECTED SPECIES AND WILDLIFE

In respect of bats, the Generator Block has been recorded as having a Greater Horseshoe bat roost with a population which from surveys undertaken by the Valleys Bat Group has been growing between 2015 and 2020 with the most recent survey (2020) having a count of 207 bats. It is also understood that Lesser Horseshoe bats have been recorded roosting in the Generator Block in low numbers. Emergence counts (not confirmed roosting in the Generator Block) have recorded other species of bats included common and soprano pipistrelle *Pipistrellus pygmaeus*, *Myotis* sp. bats, serotine *Eptesicus serotinus*, noctule *Nyctalus noctua*, and long-eared bat *Plecotus* sp. The Stable Block and Bothy have historic use by bats and have been assessed as being a confirmed roost by the submitted Ecological Impact Assessment due to the presence of evidence to suggest recent use by bats.

## GREATER HORSESHOE BATS

In terms of Greater horseshoe bats the submitted survey concludes that The Generator Block (within the north-western corner of the Site) is used by a maternity colony of greater horseshoe bats, and is the notified feature of the Ruperra Castle and Woodlands SSSI. Therefore, it is of National importance. The building is likely to support approximately 207 roosting bats (based on data provided by VBG). The Generator Building also supports hibernating bats, with a count of 34 being present during a site visit in 2020.

A maximum count of 30 greater horseshoe bats had been recorded in the Stable Block attic between 2002 and 2009. However the report considers that the change in the building fabric (damaged roof leading to more exposed conditions) means it is likely that the Stable Block now supports irregular use by low numbers of greater horseshoe bats. The continued use of this building by this species will depend on the extent of future degradation.

The use of the Bothy by greater horseshoe bats from SEWBReC records indicated that up to 20 bats have been present within the Bothy between 2002 and 2009. However, recent changes in use of the building (which involved re-glazing of windows) has likely excluded use by greater horseshoe bat.

Greater horseshoe bat have been recorded using the Greenhouse Store as a night roost and possible day roost (based on data collected from automated bat detector survey in 2018). No bats were recorded roosting within the building during survey work in 2020. The structure of the Greenhouse Store makes it unsuitable to support regular roosting by greater horseshoe bat.

The Castle cellars are likely to support hibernating greater horseshoe bat. Data provided by SEWBReC suggest that a maximum count of 10 bats have hibernated in the cellars between 2002 and 2009. No bats were recorded in the lower level room in the north-eastern corner of the Stable Block during a site visit in February 2020, despite presenting apparently suitable hibernation conditions.

Greater horseshoe bats are likely to use connecting habitat features (such as tree-lines and hedgerows) within the Site for foraging and commuting. The Coed Craig Ruperra woodland immediately north of the Site is likely to form a key foraging resource for the SSSI population.

## LESSER HORSESHOE BATS

Survey work at the site in 2017 and 2018 confirmed the use of the Stable Block and Bothy by small numbers of lesser horseshoe bat. Counts of up to three bats were recorded emerging from the Stable Block via the main gateway on the southern elevation and sparsely scattered droppings were found within the Bothy roof void. A lesser horseshoe bat was recorded night-roosting (for circa 10 minutes) within the Greenhouse Store during survey work in 2020. Roosting was not recorded on two other dates in 2020 suggesting that use of the Greenhouse Store is irregular. The findings do not suggest that the buildings are used as a maternity roost by lesser horseshoe bat.

The value of the Site for lesser horseshoe bat is considered to extend beyond the level of the Site, given the likely low numbers of bats present locally, and small numbers of recorded roosts within the County. However, the low numbers likely to be using the Site represent a very small proportion of the population in Wales, and likely a small proportion of the population occupying the species stronghold in South Wales. The value of the Site for lesser horseshoe bat is therefore considered in the report to be of County level importance.

## IMPACT ON GREATER HORSESHOE BATS

The submitted report concludes that it is considered likely that impacts on greater horseshoe bat arising as a result of disruption of flight paths and lighting are likely to be low, even if bats occasionally use the areas immediately surrounding the Stable Block and Bothy. Whilst light modelling indicates a low level of light spill overall it does indicate that bats will likely be dissuaded from using the gully between the Stable Block and retaining wall to the north, and this may impact on a small number of individuals.

The impact of future resident's pet cats has been considered but the threat increase in respect of kills and injury on the Greater Horseshoe bat colony is anticipated to be minor.

The report acknowledges that 'In the absence of mitigation, disturbance and displacement of the Generator Block colony as a result of repair and maintenance

works may result in effects that are significant at the National level'. It does however predict that the risk of this effect occurring is considered to be very low.

It concludes that overall, it is considered unlikely that effects on greater horseshoe bats during occupation of the proposed development are unlikely to be greater than at the Local Level. The effective loss of the gully and area directly above the Stable Block roof is unlikely to result in an effect significant at the County Level given the low level of use of these areas recorded at baseline.

#### IMPACT ON LESSER HORSESHOE BATS

The likely effects of killing or injury are unlikely to be discernible beyond the Local level, as any increase in predation is likely to be marginal, and the number of bats potentially affected is low. Disturbance impacts arising as a result of noise, lighting or threat are also likely to be localised, and bats displaced as a result of roost modification would be expected to roost elsewhere within the Site or very locally. Overall, occupation phase effects on lesser horseshoe bat are considered to be significant at the Local level.

#### IMPACT ON PIPISTRELLE BATS

The Site is considered to be of value at the Site level for common and soprano pipistrelle bats. Disturbance and displacement effects on pipistrelle bats are unlikely to be significant at any geographic level, while impacts of roost modification and killing and injury are likely to lead to significant effects, the magnitude is unlikely to extend beyond the level of the Site.

#### IMPACT ON BROWN LONG-EARED BATS

The Site is considered to be of value at the County level for brown long-eared bat. Noise and lighting related impacts on brown long-eared bats are considered to be very minor, and effects are unlikely to be significant beyond the level of the Site. However, effects resulting from roost modification, if leading to roost abandonment, and killing and injury are likely to be more severe. The breeding population of the County is uncertain and, therefore, effects relating to the loss of a maternity colony are considered to be significant at the County level. This assessment is precautionary, and the risk of effects occurring is considered to be very low.

#### IMPACT ON MYOTIS SPECIES BATS

The Site is considered to be of value at the Local level for bats in the genus Myotis.

Effects on Myotis sp. bats arising as a result of disturbance and displacement, roost modification and killing and injury are likely to be negligible. If Natterer's bats occupy available roosts during the occupation phase then the population may be subject to an adverse effect if individuals are killed or injured. However, this is a speculative

assessment and, overall, the effects on *Myotis* sp. bats are considered to be negligible and not significant.

## IMPACT ON SEROTINE

The Site is considered to be of value at the Local level for serotine.

Given that the risk of direct impacts, through any mechanism, on serotine bats are very low, the significance of effects are considered to be no greater than at the level of the Site.

## MITIGATION MEASURES FOR BATS

The report details a number of precautionary measures during construction including oversight of key works by a suitably qualified Ecologist.

### Occupation phase mitigation

The proposed mitigation during occupation ranges from design and modelling of site lighting, planting and vegetation and the inclusion of bat roosting areas within the renovated buildings including:

#### The Bothy

The Bothy supports a maternity colony of brown long-eared bat and small roosts of common and soprano pipistrelle. The occurrence of a small number of droppings indicate that serotine have also roosted within the Bothy in low number.

The maternity colony of brown long-eared bats is present in the Bothy loft void, with access observed via the cupola at the centre of the building. Access through the cupola into the loft void will be retained during occupation. The roof void will be divided into two sections due to the requirement to install a fire break. The cupola will provide access to the northern roof void. Access to the southern roof void will be provided by a number of gaps at the eaves (in locations away from windows) and a lifted tile on the southern roof pitch. The access points will be suitable for both pipistrelle bats and brown long-eared bat. The total floor internal volume of the roof void (all of which will be set aside for sole use by bats) is 252 m<sup>3</sup>.

The interior space of both roof voids will include features to enhance roosting opportunities for both crevice and cavity roosting species. Plywood boards will be affixed to untreated batons on the internal roof pitches of various thickness to provide a range of crevices and cavities. Plywood baffles will also be affixed to both sides of one truss (extending from the apex to the first purlin) in each roof void to limit drafts and provide additional cavities for roosting.

#### The Stable Block

Use of the Stable Block by small numbers of roosting lesser horseshoe bat, greater horseshoe bat, common pipistrelle, soprano pipistrelle, and brown long eared bat has been established through survey work.

The roof voids of the southern and western ranges will be retained as bat roosts. Access to the western range will be provided by an existing loft hatch above the courtyard tunnel. A 300 x 200 mm letterbox will be provided within the doors on the western elevation to allow access by lesser horseshoe bats. The tunnel space will allow an area for bats to light sample before dispersing either into the courtyard or through the letterbox provided in the doors. The existing walls within the roof void will be provided with 300 x 200 mm slots to allow lesser horseshoe bats to access all parts of the void and to deter use by greater horseshoe bats. The internal volume of the western range roof void (all of which will be set aside for sole use by bats) is 47 m<sup>3</sup>.

As enhancement, a second entrance to the roof void will be provided through a loft hatch above the quarantine stable in the northern extent of the western range (currently covered by a grille). Access to the quarantine stable will be provided through a window fixed open to a gap of 300 x 200 mm.

The quarantine stable will be accessible to bats as a cool room to support the available roosting opportunities in the loft void. The quarantine stable will not be fitted with a light to ensure that bats are not dissuaded from using it. The internal volume of the quarantine stable is 56 m<sup>3</sup>.

The roof void of the southern range will be divided into three sections due to the requirement of fire-breaks. Access to the central section for bats will be provided through a gap in the clock tower and / or within the apex of the gable above the main courtyard entrance. Four wooden bat boxes (two crevice type and two cavity type) will be provided within the internal void to enhance the space for roosting pipistrelle and brown long-eared bat. The internal volume of the southern range roof void (all of which will be set aside for sole use by bats) is 135 m<sup>3</sup>.

The roof voids at the western and eastern ends of the southern range will be accessed by lifted tiles and gaps at eaves level at the respective end hips. The access points will be sited away from abutting roof sections of the western and eastern ranges to avoid access by predators. The interior space of both roof voids will include features to enhance roosting opportunities for both crevice and cavity roosting species. Plywood boards will be affixed to untreated batons on the internal roof pitches of various thickness to provide a range of crevices and cavities. Plywood baffles will also be affixed to both sides of one truss (extending from the apex to the first purlin) in each roof void to limit drafts and provide additional cavities for roosting.

The former Greenhouse Boiler Room in the north-east corner of the Stable Block will be modified and retained for use by hibernating greater horseshoe bats. The stairwell leading to the room will be kept unlit at all times. A gap will be provided above one of the existing doors (the second will be permanently closed) with a baffle behind to restrict air currents. A baffle will also be affixed to the ceiling of the room across its width to

further restrict airflow. A thermal block cool tower will be built in the south-east corner of the room with a gap of 600 x 300 mm at its base. The internal volume of the Greenhouse Boiler Room is 168 m<sup>3</sup>.

Greenhouse Store (subject to separate planning and listed building applications)

Survey work in 2020 has identified use of the Greenhouse Store building by night-roosting lesser horseshoe bat, and foraging greater horseshoe bat. The baseline condition of the building is considered to be unsuitable to support a day roost of either species.

Measures will be implemented within the footprint of the Greenhouse Store to mitigate for effects on greater horseshoe bat, and to provide enhanced roosting opportunities for pipistrelle bats and brown long-eared bat. The Greenhouse Store will be refurbished to provide an enclosed volume of 172 m<sup>3</sup>.

The roof will be replaced, and will extend for the full length of the building footprint as a lean-to against the garden wall. The windows will be retained, but provided with solid black-out internal screening. Access improvements and features to improve the roosting opportunities for bats are proposed.

Generator Block

The report mentions aspirations to repair and maintain the Generator block but it is considered these works would be outside of the scope of the current application and would be likely to require separate dialogue with the Council's Ecology, heritage Officer and Natural Resources Wales along with likely involvement of interest groups.

Other wildlife

Dormice

Dormice have not been recorded on the Site but the report assumed that the northern boundary scrub habitat within the Site will function as dormouse habitat because it is connected to the main Coed Craig Ruperra which is known to support dormice. 0.07 ha of habitat will be lost either permanently or temporarily along the northern boundary.

Mitigation and enhancement is proposed with residual effects assessed as negligible.

Great crested newts

Great crested newts are present in the wider site however mitigation measures will maintain the favourable conservation status of the species. Opportunities for great crested newts along the western boundary will be enhanced through the planting of a hedge, understorey planting, and hedgerow headland grassland being allowed to grow

annually to provide cover. Residual effects on great crested newts are assessed as being negligible.

#### Reptiles

Slow worms and common lizard are anticipated to be present but mitigation and enhancement are proposed with no residual adverse effects likely to arise.

#### Badgers

No setts have been recorded on or close to the site but precautionary checks will be carried out and good practice measures are proposed to be adopted.

#### Birds

A pre-construction check for nesting will take place depending on the time of year that work is scheduled to take place, in order to ensure that no nests are damaged or nesting birds significantly affected by any work.

#### Common Toad

Found previously in the concrete lined pond and likely to be found on terrestrial parts of the site. Measures to be adopted for Great Crested Newt and reptiles will be of benefit to Toads.

It is considered that with the submitted ecological assessments and lighting assessment/design to provide mitigation in terms of light spill for the Generator block and woodland, along with the proposed measures for bats within the buildings and the requirement of Natural Resources Wales to require further ecological information under a scheme (LEMP) to be submitted through a planning condition along with other planning conditions, that the impact on protected species, including the rare bats present at the site, will be acceptable and would accord with local and national planning policy and the designations including the SSSI.

#### Amenity for future residents

The proposed development is considered to have acceptable levels of accommodation, parking and access to amenity space and also recreational routes in the surrounding countryside and is considered to accord with Policy CW2 (Amenity).

#### Conclusion and recommendation

The proposals, as set out are considered acceptable in planning terms. The above proposals, if implemented would ensure that these listed buildings are repaired, restored and brought back into use for the benefit of future generations in accordance with current national legislation, policy, and best practice guidance as referred to above and for the proper management of the historic environment.

The proposals are in accordance with current Welsh legislation, policy and best practice guidance, i.e. The Planning (Listed Buildings and Conservation Areas) Act 1990, The Historic Environment (Wales) Act 2016, Planning Policy Wales Ed 11 2021, TAN 24: The Historic Environment May 2017, and related WG/Cadw's current best-practice guidance, including Managing Change to Listed Buildings in Wales May 2017; Managing Conservation Areas in Wales May 2017; & Managing Listed Buildings at Risk in Wales May 2017.

#### Comments from Consultees:

Draethen, Waterloo and Rudry Community Council have raised objection to the application for the following reasons:

1. Ruperra Castle is a Scheduled Ancient Monument and Grade II\* Listed Building and any works carried out to the ancillary buildings that are also Scheduled Ancient Monuments and Grade II Listed Buildings would have significant negative impacts on the site overall.
2. Approval of this application would create a precedent to similar proposals.
3. The local road infrastructure is not adequate to service the proposed development.
4. The proposed development will impact on the listed buildings and conservation area.
5. The proposed development will adversely affect this ancient monument.
6. The proposed development may have an impact on the archaeological legacy of the site that should be protected.
7. The type of housing proposed will not satisfy local needs.
8. There may be negative impacts resulting from the construction works at the site.
9. We are aware from general and ongoing engagement with the local community that the consensus is for preservation, if not restoration, of the entire historical site.

The objections of the Community Council have been considered however it is held that the proposal is acceptable and can be adequately mitigated through planning conditions where necessary.

The Affordable Housing Officer is satisfied that the proposal would not be viable to provide affordable housing due to the costs associated with renovating the buildings. As such no affordable housing contribution is being sought for the development and it accords with adopted Local Development Plan Policy CW11.

The comments of the Rights of Way Officer are noted in respect of concerns with a public right of way crossing the application site. It is not considered however that the development will materially alter the existing situation in terms of access (gates are present already) and the applicant will be advised via an informative note of their responsibilities not to obstruct the public rights of way.

The Council's Ecologist has raised concerns in respect of the amount of biodiversity enhancement included within the scheme and has recommended works are included on the generator block. The proposals do include significant provision for bats within the buildings subject to be renovated under this application and also within a separate application for a separate conversion of a glasshouse. It is not considered on balance that it would be reasonable or proportionate to require works to be carried out to the generator block under this application.

Comments from public: There is a range of objections raised by the general public in respect to this planning application. Responses to the points summarised above are as follows: -

- Comprehensive plans/ masterplan for whole site (including the castle) should be submitted and considered.
- Concern with the stability and deterioration of the castle.

The application has been submitted and considered on its merits and the stability and condition of the castle is a separate matter.

- Impact on the castle. The proposals will further damage the castle's character and authenticity.
- Adverse impacts on Listed Buildings, the Conservation Area and Historic Park and Gardens.

Highlights the Scheduled Ancient Monument and Listed Building designations of the castle and ancillary buildings together with the wider landscape which indicates the whole estate has unique heritage conservation potential.

- To allow any piecemeal development of the outbuildings would degrade this historic asset.
- Applications do not further the repair and survival of the castle.

The proposals have been assessed and found to have an acceptable impact on the castle's setting and the site's historic designations and renovation of the Listed Buildings are a positive impact.

- Any piecemeal development without considering the site as a whole would adversely affect both the Area of Special Landscape Value and destroy the built heritage survival of a high status site occupied for over 2000 years.
- Granting planning for a small part of the site for residential use will impair the ability to save the castle longer term and restrict what can be done once residents are living there.

The proposals are considered to be acceptable and will not exclude/prevent works in the future to the castle and surrounding grounds.

- Attempts to encourage incoming economic growth in Cardiff and Newport could be spoiled should the Castle's special character be lost to additional housing development.

The housing development is limited to the existing on site buildings and is not anticipated to materially impact on economic growth.

- Castle should be included into the Council's Sustainable Tourism strategy and its Heritage Use and Conservation planning.

The castle is in private ownership and these are separate matters outside of the current application.

- Provides examples of restoration/conservation and reuse (Astley Castle Nuneaton, Lulworth Castle Dorset, Highcliffee Castle Dorset, Woodchester Mansion, Gloucestershire).

The proposals have been considered on the basis of the applications submitted.

- Registered gardens and woodland should be protected.

The proposals have been considered with regard to the site designations including the Historic Park and Garden. Cadw have raised no objections having considered the designation.

- Poor management of trees and burning of rubbish.
- Past actions to clear vegetation have shown the owners' disregard for ecology and the natural environment.

These are matters outside of the consideration of the current application.

- Dangerous to allow these buildings (particularly the bothy) to have a change of use so close to a dangerous derelict castle.

The bothy is already in residential use and so will not materially change the existing situation with the castle.

- Impact of building works and vehicles on castle.

The conversion works and vehicles are not anticipated to involve works which would be likely to have a material impact on the castle or its stability.

- Increased light and noise pollution will have adverse impact on bats and dark countryside.
- Adverse Impact and/or loss of the SINC/SSSI protected Greater Horseshoe Bat maternity roost/colony in the old generator block and associated dark corridor of vegetation which provide routes to foraging areas such as the nearby woodlands

and pasture by reasons of construction work and also the introduction of light, noise and traffic by future residents and associated visits/deliveries.

A lighting assessment has been submitted to minimise the light pollution on the areas nearest to the generator block and likely flightpaths of bats. It is not considered that noise pollution would be so substantial to have an unacceptable impact on wildlife.

- Proposals Ignore the Climate emergencies which we face (private car use/spread of concrete surfaces) and is not sustainable.

The proposals will convert existing Listed buildings to a use which will secure their long term survival and on balance the proposal is considered acceptable.

- Threatens future of the greenbelt if a new access road across open farmland is approved setting a precedent for further development.

The proposed development is not major development and therefore is not considered to be restricted by precautionary advice contained within Policy 34 of Future Wales - The National Plan 2040 on potential future greenbelt designation. Were further development proposed at a later stage this would be considered under separate application(s) taking into consideration extant policy/designations at that time.

- Represents short term profit making.
- Priority needs to be given to repairing the most important structure - Ruperra Castle, rather than one of the least important buildings on its Estate.
- The 13 acre site around the Castle should be held by some body or organisation to create a small country park, linked to adjacent land holdings by one or two agreed footpaths/rights of way and that a plan should be formulated and money raised by some means to buy the site, or at least maintain it.
- If approved a legal agreement should require no building may be sold or occupied until the castle has been transferred to a heritage body with a financial contribution.
- It is not fitting for nearby development to take place in the absence of any requirement for the repair of the imperilled structure of the Castle or the enhancement of the important estate grounds, given that both Castle and grounds are in the same ownership as the structures subject to the applications.

These are the opinions of the objectors.

- There should be a comprehensive redevelopment proposal involving the castle.

The proposal has been considered on its merits.

- Introduction of potential predators to the bats such as domestic cats.

The submitted Ecological Impact Assessment (as amended) has considered the impact of cat ownership for future residents and has concluded that the level of impact above baseline would be minor. Measures to prevent predation of bats have been incorporated into the design (including high level access points).

- Proposals for a new bat house as mitigation are unsuitable and unacceptable.

The mitigation measures extend beyond the bat house providing roosting opportunities within areas of the buildings and are considered acceptable.

- The maternity bat roost is of national and international importance and the precautionary principle should be applied, and any development that may risk having a negative effect on the roost should be refused. Highlights the legal protections afforded to bats.
- May adversely affect other wildlife in the neighbouring woodland.
- SSSI designated with other protected species include Greater Crested Newts and Common Dormouse.
- Adverse impact on ecology Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions.
- Question the findings of the Lighting Report - there are bound to be significant adverse impacts from the artificial lighting proposed and these impacts also extend to application numbers: 19/0787/COU and 19/788/LBC for the Stables and Coach house.

The impact on wildlife and ecology has been considered within the Ecological Reports and clarification submitted by the applicant following consideration by Natural Resources Wales has been considered acceptable with safeguards through planning conditions.

- Access unsuitable for traffic.
- Proposed Passing bays impact on wildlife, development in open countryside and increased traffic generation contrary to Policies CW3 (Highways) and CW19.
- Site has limited vehicular access and substandard highway network in area. Impact on use by walkers, cyclists and horse riders.

The proposed access arrangements are considered acceptable.

- Due regard should be given to the Well Being of Future Generations Act given the major historical, environmental and ecological issues at the site and Planning Policy Wales in terms of provision of a net benefit for biodiversity.
- Contrary to Future Generation Wales Act resilient Wales.

The Well-being of Future Generations (Wales) Act 2015 includes a number of well-being goals which does include 'A Resilient Wales' which is explained as being "A nation which maintains and enhances a biodiverse natural environment with healthy

functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).

A further well-being goal within the act is "A Wales of vibrant culture and thriving Welsh Language" which is explained as being "A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation."

The application has been considered in respect of the requirements of the Well-being of Future Generations (Wales) Act 2015 including all the well-being goals and on balance has been found acceptable and to accord with the duties of the Local Planning Authority under the act.

- The change of use would introduce domestic paraphernalia which would impact on the historic grounds.

The proposed conversion and development is not considered to have an unacceptable impact in this regard.

- The amended Design and Access Statement is inadequate.

The Design and Access Statement meets validation standards.

- Vegetation was cleared before the manege was built, but there is no sign of the replacement tree planting required as a condition of that approval.

This is a matter separate to the consideration of this application.

- Question why no additional ecological survey information has been made available.

Amended reports and plans have been made available.

- Reinstatement of Public access.

The site is in private ownership and any specific matters of access can be addressed through relevant legislation where found necessary.

- Since September 2019 there has been a major local policy change that reinforces our case. The devastating floods of February 2021 were a further demonstration of the County Council's foresight in declaring a climate emergency, and in pledging to review all of its policies and decisions in the light of the need for urgent action to stem further temperature rises. It includes taking action to reduce traffic, support active travel and increase biodiversity - as envisaged in the Sustainable Caerphilly Landscape (SCL) Masterplan 2020.

The application has been considered on its merits including the beneficial impacts on providing long term use to Listed Buildings currently in poor state of repair. This together with compatibility with provision for conversion of buildings under Policy CW20, mitigation for protected species, requirements under planning conditions relating to habitat management and access to walking recreation routes in the vicinity is considered to outweigh the concerns raised.

- From 1/2/2022 the gardens at Ruperra are now statutorily protected under the Welsh Government Heritage Act 2016.

The impacts on the designations of the site have been considered and have been found acceptable.

- Suggest CCBC start using adequate powers invested in it in order to stop the further deterioration of this site.

This is a separate matter from the application under consideration.

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. The above proposals, if implemented would ensure that these listed buildings are repaired, restored and brought back into use for the benefit of future generations in accordance with current national legislation, policy, and best practice guidance and for the proper management of the historic environment. 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.

It is noted that objections have been raised by individuals and interest groups raising wide ranging concerns in respect of the impact of the development on the historic buildings and designations of the site. Concerns have been raised in respect of the condition of Ruperra Castle itself which by its "at risk" designation is acknowledged to be in poor condition. The private ownership of the site means that collaboration is expected to be required (most likely by the landowner, interest groups, the Local Authority and others) to secure the long term future of the castle. The current application excludes the castle but does provide an opportunity to restore key Listed buildings on the site which would most likely safeguard their long term future. The changes proposed are considered to be proportionate and would have an acceptable impact on the wider Ruperra Site both visually within the Landscape and have sufficient mitigation on the protected species present on site.

The application is recommended for approval however members are advised that Welsh Government have issued a direction restricting the grant of permission by the Local Planning Authority. The effect of the direction means if members are minded to approve

the application the application would be sent to Welsh Ministers for their consideration as to whether or not they wish to call in the application for determination.

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 AL.0.10 revision D;  
Proposed: Stables & Coach House - Ground Floor Plan drawing reference AL.ST.110, Revision A, dated July 2020;  
Proposed: Stables & Coach House - First Floor Plan, Drawing number AL.ST.111, Revision A, dated July 2020;  
Proposed: Stables & Coach House - Elevations (sheet 1 of 2), Drawing number AL.ST.112 Revision A, dated July 2020;  
Proposed: Stables & Coach House - Elevations (sheet 2 of 2), Drawing number AL.ST.113 Revision A, dated July 2020;  
Proposed: South Entrance Gates Plan and Elevation Drawing number AL.SG.110 revision A;  
Proposed: 'The Bothy' (fmr Dairy & Laundry) - Floor Plans & Elevations, Drawing number AL.D.110 Revision A, dated August 2020;  
Joinery Details (typical) drawing reference AA.0.100;  
Ruperra Castle Ecological Assessment Report, Author: BSG Ecology, dated 30 September 2020;  
Ruperra Castle Lighting Impact Assessment, Author: Illumne Design, Revision 0.1 dated 28 September 2020;  
Letter to Anthony Pyne at Caerphilly County Borough Council titled 'Response to Ecological Comments on Planning Applications 19/0787/COU and 19/0789/COU', dated 3 February 2021;  
External Lighting Only Levels of Illuminance Full output Shown MF=1 Drawing number 4181-ID-DR-4001 Revision P02, dated 13 January 2021;  
Revised Landscape Planting and Ecology Plan, Drawing number MLD/521/PLANNING/04 dated 16 September 2020; and  
Tree Retention and Removal Plan, drawing number 210429-RC-TRRP-Rev B-NB, dated April 2021.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the removal, storage and re-use of materials. The development shall only be carried out in accordance with the approved scheme.

REASON: To protect and preserve the character of the Listed Building.

- 04) No works to the roof shall be undertaken until samples of the roof tiles for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out using the approved tiles.

REASON: To protect and preserve the character of the Listed Building.

- 05) Prior to the first residential apartment within the stables/coach house being beneficially occupied a scheme for the storage of foodstuffs, and the storage and disposal of waste and manure shall be implemented in accordance with details that shall be first agreed in writing with the Local Planning Authority.

REASON: To prevent pollution in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 06) No development shall commence until a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved by the Local Planning Authority. The LEMP should be supported by appropriate drawings and should include:

Details of existing habitats and ecological features present to be retained;

Details of measures to prevent access by residents to the area north of the Generator Block and Stable Block, for example by fencing and/or planting;

Details of the replanting with standards to be undertaken following the removal of tree group number 5;

Details of measures to prevent bat predation by cats at the bat access point on the north elevation of the Generator Block;

Details of the extent distribution and type of new habitat and ecological features to be created on the site, including species mix, density of new planting and minimum size of specimens;

Details of the desired conditions of habitats (present and to be created) at the site;

Details of scheduling and timings of activities;

Details of short and long-term management, monitoring and maintenance of new and existing habitats at the site to deliver and maintain the desired condition;

Details of monitoring of habitats and ecological features;

Details of remedial measures should any landscape or ecological features fail to establish, be removed or become seriously damaged or diseased within 5 years of completion of development;

Details of management and maintenance responsibilities; and

Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals;

The development shall be completed in accordance with the approved plan and the timescales contained therein.

REASON: In the interests of the ecology and natural heritage of the site, to ensure necessary landscape and environmental management measures are agreed and implemented to ensure the sites landscape and environmental

features are adequately managed long term in accordance with Policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 07) Prior to the commencement of works on site a scheme of land and surface water drainage (inclusive of watercourses) 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 and in accordance with the requirements of Planning Policy Wales Edition 11.
- 08) No external lighting other than that specified within the approved plans shall be installed without the prior written approval of the Local Planning Authority and the 'Features of highest importance' as detailed on 'drawing 2' (annotated aerial photograph) contained within BSG Ecology letter dated 03 February 2021 shall be adhered to at all times.  
REASON: In the interests of the protected species present in accordance with policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
REASON: As the buildings are of architectural and cultural significance the specified records are required to mitigate impact.
- 10) No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.  
REASON: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 11) Notwithstanding the submitted plans, 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. Those details shall include:  
(a) Proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor structures including furniture, play equipment, refuse or other storage units; and

(b) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.); and

(c) Planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be carried out in accordance with the agreed scheme and all planting, seeding, turfing/hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, 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 policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 12) A Landscape Management Plan, including
- (a) long term design objectives,
  - (b) management responsibilities, and
  - (c) maintenance schedules for all landscape areas, other than domestic gardens, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.
- The Landscape Management Plan shall be carried out as agreed.
- REASON: To ensure that the landscaping is maintained in the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 13) Notwithstanding the submitted plans prior to the occupation of the coachhouse a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected along with a timescale for implementation. The boundary treatment shall be completed in accordance with the approved details.
- REASON: In the interests of the visual amenities of the area amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) 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,

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 policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 15) Prior to the occupation of the first apartment in the coach house building details of all the proposed passing bays (and their construction and timescale for implementation) and associated measures to protect existing trees shall have been first submitted to and approved in writing by the Local Planning Authority. The bays shall be provided in accordance with the approved details.

REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 16) The fenestration detailed on drawing reference AL.ST.113 revision A which are annotated "NOT FOR ACCESS" shall be non-opening and fitted with blackout window film prior to the occupation of the dwellings they serve and therefore shall not be modified, removed or replaced without the prior written consent of the Local Planning Authority. Any authorised replacement shall be completed in accordance with the approved details.

REASON: To ensure that lighting levels are in accordance with the submitted details in the interests of ecology (bats) in accordance with Policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 17) Prior to the occupation of any dwelling in the Coachhouse a lighting monitoring report indicating the lighting installed and an assessment of the light spill emanating from it shall be submitted for the written approval of the Local Planning Authority and it shall demonstrate adherence with the submitted Ruperra Castle Lighting Impact Assessment, Author: Illumne Design, Revision 0.1 dated 28 September 2020 (or justification for any departure from it). Following approval of the report the lighting shall not be modified thereafter without the prior written consent of the Local Planning Authority.

REASON: To ensure that adequate mitigation in terms of restricting light spill likely to have an adverse impact for bats is implemented in the development in the interests of ecology in accordance with Policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

#### Advisory Note(s)

The applicant's attention is drawn to the Landscape and Ecological Management Plan required under planning condition should include all those matters detailed in Natural

Resources Wales consultation letter for 19/0787/COU dated 25.06.21 (NRW ref CAS-153570-Z9Y7).

The applicant is reminded that it is an offence to obstruct a public right of way. There are three public rights of way in the area of this application, one of which, Footpath 1 Llanfedw, is obstructed. The planning permission does not authorise the stopping up or diversion of the public rights of way. The public rights of way may be stopped up or diverted by Order under section 257 of the Town and Country Planning Act 1990, provided that the order is made before the development is carried out. As the public right of way is currently obstructed any Order cannot proceed until the obstruction is removed. Should the applicant require further information regarding their responsibilities to the Public Right of Way, they are requested to contact the Rights of Way Officer

Warning: A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require a EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>