


**From:** Planning Directorate Mailbox  
**Sent:** 09 December 2020 10:04  
**To:** Decisions Branch - Ministerials/Gweinidogol - Cangen Benderfyniadau  
**Subject:** FW: You have been forwarded an enquiry from the First Point of Contact Centre.  
Ref:04652128  
**Attachments:** Ruperra Call In Request final.pdf; Ruperra SSSI Citation 2011.pdf

Please see the email below which has been sent to the Planning Directorate Mailbox. Could you please deal with the query or pass to a relevant colleague for action.

I would be grateful for an e-mail acknowledgement that the enquiry is being dealt with or has been replied to.

Many thanks,

  
Implementation and Performance Branch  
Planning Directorate  
Welsh Government  
Tel : 0300 025 3722  


**From:** Customer Help <CustomerHelp@gov.wales>  
**Sent:** 09 December 2020 09:28  
**To:** Planning Directorate Mailbox <Planning.Directorate@gov.wales>  
**Subject:** You have been forwarded an enquiry from the First Point of Contact Centre. Ref:04652128


Please see the following email received in the Welsh Government's mailbox.

Could you please deal with the query or pass to a relevant colleague for action within the standard 15 working day timescale.

PLEASE ADVISE OF RESPONSE TO THIS CORRESPONDENCE SO THAT RECORDS CAN BE UPDATED

My apologies if this is not your line of work - could you please forward to a relevant colleague, or advise if this is the case.

Regards/Cofion

  
Desg Gymorth Cydwasanaethau / Shared Service Helpdesk

Canolfan Cydwasanaethau Corfforaethol / Corporate Shared Service Centre

Cyllid a Gwasanaethau Corfforaethol / Finance and Corporate Services

Llywodraeth Cymru / Welsh Government  
Parc Cathays / Cathays Park  
Caerdydd / Cardiff

CF10 3NQ  
Ffôn/Phone: 0300 060 4400  
E-bost / E-mail: [cymorth@llyw.cymru](mailto:cymorth@llyw.cymru) / [customerhelp@gov.wales](mailto:customerhelp@gov.wales)

**Enquiry:**

Fwd: Request to call in planning application - Ruperra Castle

Good morning,  
Please help. We are trying to send a call-in request to your Planning Directorate [REDACTED] but have failed to do so with the information we have; all emails are rejected for both his and the general planning email. If you are able to forward this to that division, we would be very grateful. Otherwise please let me know how we can get through to them.

Regards, [REDACTED] Ruperra Conservation Trust [REDACTED]

----- Forwarded message -----

From: [REDACTED] <[ruperra@gmail.com](mailto:ruperra@gmail.com)>

Date: Tue, 8 Dec 2020 at 23:16

Subject: Request to call in planning application - Ruperra Castle

To: [REDACTED]

Cc: [REDACTED]

Good morning,  
Please find attached a letter from Ruperra Conservation Trust in which we as trustees have made a request for a planning application to be called in and determined by the Welsh Ministers. As the application directly affects a Site of Special Scientific Interest including our own land, we are very concerned. I have also attached the SSSI citation for your information.  
Regards, [REDACTED] trustee Ruperra Conservation Trust

**Additional Instructions:**

**Customer:**

[ruperra@gmail.com](mailto:ruperra@gmail.com)

[ruperra@gmail.com](mailto:ruperra@gmail.com)

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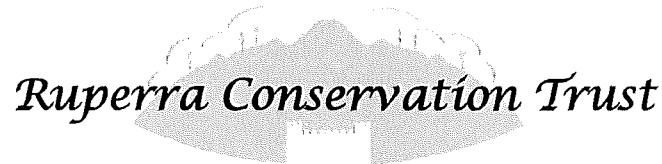
,

**Enquiry Number:**

HR-775823-Q3G9

**Enquiry Date:**

09/12/2020 09:27



December 7th, 2020.

Neil Hemington  
Chief Planner  
Welsh Government

Dear Mr. Hemington,

### **REQUEST TO CALL IN PLANNING APPLICATIONS AT RUPERRA CASTLE**

We are writing to ask you to consider calling in four planning applications currently being considered by Caerphilly County Borough Council (CCBC) so that they can be determined by the Welsh Ministers in accordance with the procedure set out in Planning Policy Wales.

Ruperra Conservation Trust owns and manages Coed Craig Ruperra, a 153 acre broadleaved woodland immediately to the north of Ruperra Castle near Caerphilly. The Castle and Coed Craig Ruperra woodland have been designated as a Site of Special Scientific Interest (SSSI) because of the presence of a maternity colony of rare Greater Horseshoe Bats.

The owner of the Castle has recently submitted the following planning applications to CCBC to develop some of the Castle out-buildings for residential use, and to create a new bat house in an old greenhouse store:

- 19/0787/ COU and 19/0788/LBC Conservation Repairs to the Former Dairy and Laundry and Change of use to the Stables and Coach House Building
- 19/0789/COU and 19/0790/LBC Ruperra Castle Greenhouse Store

The Trust has submitted detailed comments on the proposals to CCBC who are expected to consider the applications at their next Planning Committee meeting after the final date for comments (December 18<sup>th</sup>).

However, we believe that the potential threat to the Greater Horseshoe Bats, and to the SSSI including our woodland more generally from the proposed developments, raises planning issues of more than local importance and that therefore it would be appropriate for these planning applications to be called in and determined by the Welsh Ministers.

The Greater Horseshoe Bat colony in the old Generator Block at the Castle is currently increasing slightly each year because it is in a suitably large old building, largely undisturbed by noise or lighting. The bats have the required space to light-sample inside before emerging into the dark

corridor of vegetation which joins directly to our adjacent ancient woodland and to nearby pasture where they can forage.

The construction work and removal of trees associated with the planned developments and the subsequent increase in light, noise and traffic of a residential development (of which this is only Phase 1) will disturb the Greater Horseshoe Bat colony which could be lost forever. We believe that the applicant's proposals for a new bat house as some kind of mitigation have a low chance of success. For example, Macintosh (2016) found that only 18% of bat maternity roosts successfully transferred to alternatives provided as mitigation.

As previously mentioned, Greater Horseshoes are some of the rarest bats in the UK. The Ruperra Castle colony is one of only five maternity colonies in Wales and their presence is the reason why Ruperra Castle and Coed Craig Ruperra woodland were designated in 2011 as a Site of Special Scientific Interest. As a result the colony has been cited by Natural Resources Wales as of national and international importance (SSSI citation letter of 2011).

In our view the high risk of serious harm to the colony resulting from the proposed developments would run counter to a number of national standards and statutory measures intended to protect our native wildlife, including:

#### **Wildlife and Countryside Act 1981**

Greater Horseshoe Bats are included on the list in Schedule 5 of animals which are protected.

#### **Environment (Wales) Act 2016**

Greater Horseshoe Bats are included in the list of priority species of national importance for Wales published under section 7 which means that they are "...living organisms... of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales".

#### **Well-being of Future Generations (Wales) Act 2015**

The Act includes a *Resilient Wales Goal* which is defined as "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,"

#### **Conservation of Habitats and Species Regulations 2017**

All bats are protected under this legislation. This includes making it an offence to deliberately disturb wild animals of any such species. The definition of disturbance in paragraph 41(2) includes: (i) to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or (ii) to affect significantly the local distribution or abundance of the species to which they belong.

## Planning Policy Wales (Edition 10)

Paragraph 6.4.17 states that "SSSIs can be damaged by developments within or adjacent to their boundaries.... 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 summary, we are concerned that the potential threat to the national population of Greater Horseshoe Bats is significant and raises planning issues of more than local importance. We believe that it runs counter to the Welsh Government's stated policies and legislation to protect biodiversity, as well as the presumption against damage to SSSIs in Planning Policy Wales. Therefore we believe that 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.

Yours sincerely,



Trustee

On behalf of Ruperra Conservation Trust

Attachment: SSSI Citation, Ruperra Castle and Woodlands SSSI

References:

Mackintosh, M. 2016. Bats and licensing: a report on the success of maternity roost compensation measures. Scottish Natural Heritage Commissioned Report No. 928.

**CYNGOR CEFN GWLAD CYMRU  
COUNTRYSIDE COUNCIL FOR WALES**

SITE OF SPECIAL SCIENTIFIC INTEREST CITATION

**CAERPHILLY RUPERRA CASTLE AND WOODLANDS**

**Date of Notification:** 30 March 2011

**National Grid Reference:** ST223867

**O.S. Maps:** 1:50,000 Sheet number: 151

1:10,000 Sheet number: ST 28 NE

**Site Area:** 62.60 ha

**Description:**

The site is of special interest 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 greater horseshoe bat occurs throughout central and southern Europe and extends eastwards across Asia as far as Japan. However, it is a rare species in Europe, and has suffered a considerable decline in central Europe. Within Great Britain, the breeding population is confined to south west England and southern Wales and comprises an estimated 6,600 animals. The Welsh population is at the north-western extremity of the species' range.

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.

**Remarks:**

Both species of horseshoe bats, common dormouse and great crested newt are specially protected under Schedule 5 of the Wildlife and Countryside Act (as amended), Schedule 2 of the Conservation of Habitats and Species Regulations 2010 and Annex IV of the EC Habitats Directive. They are all listed on the Section 42 list of habitats and species of principal importance in Wales and are UK Biodiversity Action Plan priority species.

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