



EIA Scoping Opinion

Ref: P2021/0625

Site: Land off J38 of the M4
Margam.

This Scoping Opinion is provided on the basis of the information submitted to the Planning Authority in support of the application, in addition to consultation responses received. The advice does not prejudice any recommendation made by an Authority in relation to the development, and does not preclude the Authority from subsequently requiring further information to be submitted during the course of the application under Regulation 24 of [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) Regulations 2017](#) ("The 2017 Regulations").

1. Introduction

The Planning Authority received a request under Regulation 14 of the 2017 Regulations for a Scoping Direction in relation to a proposed development for the development of a metal processing facility comprising operational building (18,250sq.m) plus administration and amenity buildings (1,848sq.m), 300 car parking spaces and associated development.

The applicant has described the proposed operation of the development within the submitted Scoping Report as:

"Industrial processes to be carried out on site would consist of the melting and atomising of raw materials to manufacture metal powder for use in other industry. Metals on-site include (but not limited to) stainless steels, nickel alloys, cobalt alloys, aluminium alloys and copper. There would be between ca. 2-10 HGV vehicle movements per day. The site would be operational for 24 hours a day between 6 and 7 days a week.

The then finished products are to be sieved and air classified. There would be no external emissions or effluent. Waste powder metals are recycled on-site, while waste alloys are recycled off-site and supplied back as clean material. Refractory waste is sent off-site for recycling. Other waste is sorted and sent for recycling.

An illustrative site layout plan is provided at Appendix 2. This indicates that there will large scale production buildings, with an adjoining services building. There will also be a number of office buildings as well as an amenity building. The maximum heights of the buildings would be approximately 19m.

Approximately 150 full-time equivalent (FTE) staff would be employed at the site on both shift and standard working patterns.

The request was accompanied by a Scoping Report (SR) that outlines the proposed scope of the Environmental Statement (ES) for the proposed development.

This Opinion has taken into account the requirements of the 2017 Regulations as well as current best practice towards preparation of an ES. In accordance with the 2017 Regulations the Authority has consulted on the SR and the responses received from the consultation bodies have been taken into account in adopting this Opinion.

2. Site Description

The application site is an irregular parcel of land approximately 6ha in area that is located adjacent to J38 of the M4 to the south eastern corner of the site. The land appears to be used for farming. Longlands Lane or Heol Cae'r Bont is located along the southern boundary of the site, with the Margam Crematorium (Grade II Listed Building), Longlands House and Playing fields further to the south. The A48 – Margam Road is located adjacent to the eastern boundary of the applicant site with the Motorway beyond. There is a currently un-used building Tyn Y Caeau set within its own grounds that adjoins the eastern boundary of the site. With mature Trees that surround this site and adjoin the proposed development site which have been protected by a Tree Preservation Order.

The development site would be accessed off an existing road that would connect the site to the southernmost roundabout of the Harbour Way PDR (Peripheral Distributary Road). To the western side of the access road are two existing biomass developments, areas of wet woodland and beyond this the BOC Plant and the Port Talbot Steel Works.

3. Proposed Development

The scope of the EIA should include all elements of the development as identified in the SR, both permanent and temporary, and this Scoping Opinion is written on that basis.

In line with the requirements of Regulation 17 and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives considered should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made.

Under paragraph 4.1.4 the agents have stated that their Environmental Statement (ES) will not consider alternative options or 'do nothing' scenarios. However it is understood that the existing business is located on a property off Milland Road, Neath. While the business has expanded a number of times in recent years, it is understood that they may be reaching the limit of capacity on their existing site. The ES should therefore detail this existing situation, as well as addressing whether it is the company's intention to relocate to this new location or whether they would continue to operate on both sites. Any ES submitted should detail what would occur if a 'do nothing' situation were to occur and what that would mean for the future operation of the existing business on its existing site and the impact upon the existing site's constraints.

In relation to paragraph 4.3. Design Options. It is noted that the design details for the proposal are not currently available, nevertheless it is noted that due to the size and scale of the proposed building the ES would have to detail the design measures that have been used to bring about a suitable design for all the buildings on the site and their resultant impact upon the character and appearance of the immediate and wider surrounding area, through the Landscape and Visual Impact Assessment.

4. History

The planning history section also includes details of proposals and development on the adjacent sites. These have been labelled to identify the relevant development sites.

APPLICATION SITE.

Reference: P2020/0104

Proposal: Request for Screening Opinion under Regulation 6 of the Environmental Impact Assessment Regulations 2017 - for the erection of 10 office, industrial and Storage and Distribution units (Use Classes B1, B2 and B8) creating a total of 30,101sq.m of floorspace and associated engineering works.

Decision: EIA Development.

Decision Date: 25-FEB-20

Site Address: Site Adjacent To M4 Junction 38.

MARGAM GREEN ENERGY BIOMASS PLANT.

Reference: P2020/0671

Proposal: Section 73 application for the variation of condition 2, (approved plans) and condition 4, (landscape and ecological management plan) to allow for the submission of revised details, of planning permission P2016/0895 approved on 27th January 2017 which related to a single storey office administration building and associated car park.(amended landscape and ecology management plan)

Decision: Conditional Approval.

Decision Date: 02-DEC-20

Site Address: Margam Green Energy Plant.

Reference: P2020/0668

Proposal: Section 73A application for the removal of conditions 6, 7, 15 and 16, (all relating to landscaping) as its proposed to include a single condition, removal of conditions 10, (construction method statement) 11,(treatment of suspended soils during construction) 12,(Foul and surface water disposal) and 23 (Land adjacent to southern boundary to remain free from development). as these are no longer required, and the variation of condition 2, (landscape and ecological management plan) 4, (noise) 5, (air quality) and 26, (approved plan list) to allow for the submission of a revised details, of planning permission P2016/0949 approved on 14/02/2017, which related to the construction of a biomass power station.(amended landscape and ecology management plan and Air quality summary reports).

Decision: Conditional Approval.

Decision Date: 02-DEC-20

Site Address: Margam Green Energy Plant.

Reference: P2016/1070

Proposal: Installation Of Foul Sewer In Association With Energy Plant. (Amendment to application P2014/0835.)

Decision: Conditional Approval.

Decision Date: 27-JAN-17

Site Address: Margam Green Energy Plant, Longlands Lane.

Reference: P2016/0949

Proposal: Variation of condition 16 (to list drawing numbers to amend the approved drawing to accommodate minor material changes to the development.) of application P2016/0236 granted on 12/05/16

Decision: Conditional Approval.

Decision Date: 14-FEB-17

Site Address: Margam Green Energy, Longlands Lane.

Reference: P2016/0895

Proposal: Single Storey Office Administration Building And Associated Car Park. (Amended elevations and sections, Appendix A Flood Consequences Assessment, LEMP Addendum and long section of relationship between car park and attenuation)

Decision: Conditional Approval.

Decision Date: 27-JAN-17

Site Address: Margam Green Energy Plant, Longlands Lane.

Reference: P2016/0236

Proposal: Variation of conditions 14 & 17 in relation to details of Air Monitoring for Nox equipment and restricted hours of construction of Planning Permission P2014/0705 (Approved on the 26/09/14) in relation to waste wood Biomass fired power station.

Decision: Site Address: Margam Green Energy Plant.

Decision Date: 12-MAY-16

Site Address: Margam Green Energy Longlands Lane.

Reference: P2014/0835

Proposal: Installation of underground foul water drainage system (associated with Margam Green Energy Plant)

Decision: Conditional Approval.

Decision Date: 30-OCT-14

Reference: P2014/0705

Proposal: Construction of 40 MW biomass power station. Amendment to previous application P2008/1409 (Approved on appeal on the 8/3/2011) Changes to layout and design, together with additional fuel conveyor, electricity substation, firewater tank, silo and water discharge balancing pond.

Decision: Conditional Approval.

Decision Date: 08-OCT-14

Site Address: Margam Green Energy Plant.

TYN Y CAEAU.

Reference: P2020/0601

Proposal: Change of use from dwelling house and annex building into a mixed used development consisting of guest house accommodation consisting of 16 guest rooms, with associated bar, cafe and spa facilities, and truck stop with 21 HGV parking spaces. The proposal includes the demolition of an existing single storey rear extension, and the erection of a single-storey rear extension, together with widened site access, additional internal access roads, parking areas and associated works. (Bat survey and mitigation submitted 18/09/2020)

Decision: Refused Planning Permission.

Decision Date: 15-OCT-20

Site Address: Land at Tyn-Y-Caeau

This is the subject of a current appeal APP/Y6930/A/20/3263628. It is currently on hold pending the submission of a valid Environmental Statement.

Reference: P2006/1396

Proposal: Proposed Guest House Extension and Refurbishment

Decision: Conditional Approval.

Decision Date: 22-NOV-06

Site Address: Tyn Y Caeau

Reference: P2005/0449

Proposal: Proposed Guest House Including the Construction of An Extension And The Refurbishment Of Existing Studios.

Decision: Conditional Approval.

Decision Date: 25-MAY-05

Site Address: Tyn Y Caeau.

MARGAM BIOMASS.

Reference: P2008/1409

Proposal: Biomass Fired Power Station.

Decision: Refused Planning Permission but Allowed on Appeal.

Decision Date: 16-MAR-10

Site Address: Longlands Lane, Margam.

Reference: P2007/0826

Proposal: Biomass Fired Power Station

Decision: Conditional Approval.
Decision Date: 18-SEP-07
Site Address: Land At Longlands Lane, Margam.

Reference: P2006/0161
Proposal: Relocate The Western Log Co (Use Classes B1, B2, B8 And A2)
Decision: Conditional Approval.
Decision Date: 09-JAN-07
Site Address: Junction 38 - M4 Adjacent To Bio Energy Site, Margam

Reference: P2004/0035
Proposal: Proposed Bio Mass Power Plant
Decision: Conditional Approval.
Decision Date: 27-APR-04
Site Address: Longlands Lane, Margam

HARBOUR WAY – PERIPHERAL DISTRIBUTOR ROAD (PDR).

Reference: P2012/0189
Proposal: Construction of access road to link Biomass 2 to Peripheral Distributor Road (Stage 2).
Decision: Conditional Approval.
Decision Date: 06-MAR-14
Site Address: Land Near Western Wood Energy Plant.

Reference: P2010/1100
Proposal: Construction of the Port Talbot Peripheral Distributor Road Stage 2. Amendment to application P2007/292 approved 28th August 2007.
Decision: Conditional Approval.
Decision Date: 24-FEB-11
Site Address: Land between the Port Talbot Docks Area, and the A48 near Junction 38.

Reference: P2007/0292
Proposal: Construction of The Port Talbot Peripheral Distributor Road Stage 2.
Decision: Conditional Approval.
Decision Date: 28-AUG-07
Site Address: Land Between Port Talbot Industrial Estate And Junction 38 Of The M4 At Margam.

5. Consultation

In line with Regulation 14(6) of the 2017 Regulations, formal consultation was undertaken with the following bodies:

- Cadw.
- Health and Safety Executive (HSE).
- Glamorgan Gwent Archaeological Trust (GGAT).

- Natural Resources Wales (NRW).
- Coal Authority.
- Bridgend County Borough Council.
- Welsh Government Transport.
- Dwr Cymru Welsh Water.
- National Grid.
- South-Wales Police Crime Prevention.
- Environmental Public Health.

Internal Consultees.

- Public Rights of Way.
- Biodiversity.
- Highway Authority.
- Drainage Authority.
- Environmental Health including - Noise, Air Quality, Odours, and Contaminated Land.
- Arboriculturist.
- Sustainable Transport.
- Economic Development.

Responses received are included in **Appendix 1**.

6. Environmental Impact Assessment Approach

The Applicants should satisfy themselves that the ES includes all the information outlined in [Schedule 4](#) of the 2017 Regulations. In addition, the Applicant should ensure that the Non-Technical Summary includes a summary of all the information included in Schedule 4. Consider a structure that allows the author of the ES and the Decision Maker to readily satisfy themselves that the ES contains all the information specified in [Regulation 17](#) and Schedule 4 of the 2017 Regulations. Cross refer to the requirements in the relevant sections of the ES, and include a summary after the Contents page that lays out all the requirements from the Regulations and what sections of the ES they are fulfilled by.

As the assessments are made, consideration should be given to whether standalone topic chapters would be necessary for topics that are currently proposed to be considered as part of other chapters, particularly if it is apparent that there are significant effects and a large amount of information for a particular topic.

There may also be topic areas scoped out of the ES where the developer may wish to include application documents that sit outside of the ES and provide information that will support their consultation(s) and the decision-making process. The developer is encouraged to liaise with key consultees regarding non-ES application documents which are not a legislative requirement.

The ES should focus on describing and quantifying significant environmental effects. Policy considerations / arguments relating to those impacts should be addressed in other documentation supporting the application (e.g. a Planning Statement), which cross references the ES where necessary.

NRW within their response also stated the following points:

Description of the Project

Within the ES, the proposed scheme should be described in detail in its entirety. This description should cover construction, operation and decommissioning phases as appropriate and include detailed, scaled maps and drawings as appropriate.

Illustrations within the Environmental Statement

Any maps, drawings and illustrations that are produced to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections of the ES, such as biodiversity.

6.1 Reasonable Alternatives

In line with the requirements of [Regulation 17](#) and [Schedule 4](#) to the 2017 Regulations, any reasonable alternatives studied by the Applicant should be presented in the ES. The reasons behind the selection of the chosen option should also be provided in the ES, including where environmental effects have informed the choices made. Even if these reasons are limited to the allocation within the Local Development Plan.

It is worth bearing in mind that under the [Conservation of Habitats and Species Regulations 2017](#) ("the Habitats Regulations") unless it can be clearly shown that the project would have no adverse effect on the integrity of any designated sites, it would have to be shown that there is no feasible alternative solution. Further advice regarding the Habitats Regulations is provided in the final chapter of this Screening Direction.

6.2 Currency of Environmental Information

For all environmental aspects, the applicant should ensure that any survey data is as up to date as possible and clearly set out in the ES the timing and nature of the data on which the assessment has been based. Any study area applied to the assessments should be clearly defined. The impacts of construction, operation and decommissioning activities should be considered as part of the assessment where these could give rise to significant environmental effects. Consideration should be given to relevant legislation, planning policies, and applicable best practice guidance documents throughout the ES.

The ES should include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters. Where professional judgement has been applied this should be clearly stated.

The ES topic chapters should report on any data limitations, key assumptions and difficulties encountered in establishing the baseline environment and undertaking the assessment of environmental effects.

6.3 Cumulative Effects

All of the other development considered should be documented and the reasons for inclusion or exclusion should be clearly stated. Professional judgement should be used to avoid excluding other development that is close to threshold limits but has characteristics likely to give rise to a significant effect; or could give rise to a cumulative effect by virtue of its proximity to the proposed development. Similarly, professional judgement should be applied to other development that exceeds thresholds but may not give rise to discernible effects.

The scope of the cumulative assessment should be fully explained and justified in the ES.

While the current appeal against the refusal of planning permission on the adjoining Tyn Y Caeau site is currently on hold with the Planning Inspectorate, to allow the preparation and submission of a revised Environmental Statement for the proposed development, it is still a plan or project within the public domain. As such the potential cumulative and in-combination effects upon the Ecology, Air Quality, Landscape and Visual Impact of the area if both developments were to take place must be considered.

6.4 Mitigation

Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should provide reference to how the delivery of measures proposed to prevent / minimise adverse effects is secured (through legal requirements or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

Clear distinctions should be made between mitigation, compensation and enhancement initiatives. With clear identification within relevant sections of the ES of where each of these initiatives is being proposed.

6.5 Population and Human Health

The Applicant should ensure that the ES addresses any significant effects on population and human health, in light of the EIA Regulations 2017. This could be addressed under the separate topic chapters or within its own specific chapter. This is of particular importance with this development where much of the development site is located within an inner, intermediate and outer consultation zone for the Health and Safety Executive.

6.6 Transboundary Effects

[Schedule 4, Part 5](#) of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The ES should address this matter as appropriate.

7. Environmental Impact Assessment Topics

This section contains the Authority's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. The comments provided refer to the description of the development, the Environmental Impact Assessment process, structure of the ES and any other matter deemed relevant in the preparation of the ES. Environmental topics or features are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Authority. In accordance with Regulation 17(4)(c) the ES should be based on this Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's SR.

The Authority has set out in this Opinion where it has / has not agreed to scope out matters on the basis of the information available at this time. The Authority is content that the receipt of a SD should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

7.1 Aspects scoped in

Subject to the comments provided the following aspect are scoped into the ES:

Landscape and Visual Impact Assessment (LVIA)
Ecology and Nature Conservation
Archaeology and Cultural Heritage
Noise and Vibration.
Transport and Traffic
Hydrology, Hydrogeology and Geology
Health and Safety and Risk to Human Health
Air Quality
Socio-economic Assessment
Climate
Waste
Land and Ground Condition

7.2 Landscape and Visual Impact Assessment (LVIA).

NRW have stated that they understand a Landscape and Visual Impact Assessment (LVIA) will be developed and included as part of the ES. The Authority agrees but there is nothing further to comment on at this stage.

Glamorgan Gwent Archaeological Trust (GGAT) has noted that the proposal is also located adjacent to the Margam Mountain Registered Historic Landscape (HLW (WGI/MGI) 2), as defined in the *Register of Landscapes of Special Interest in Wales*, specifically the Cwm Bromptil and Graig Fawr Character Area (HLCA003), which was associated with granges of Margam Abbey and the Margam Estate. The Scoping Report indicates that an ASIDHOL2 is not within the proposed scope of the assessment (8.4.15). However, due to the close proximity it is possible that there could be an impact on the Landscape and an ASIDHOL2 might be appropriate. However, as the proposal requires an Environmental Statement, Cadw would be the curators of any potential ASIDHOL2 and so should be consulted over the matter.

Cadw in their response to the consultation have stated that they note that the application area is outside the boundaries of the registered Margam Mountain Landscape of Special Historic Interest and therefore there will be no direct impact on it. Consequently, the impact on this registered landscape will be on its setting rather than directly. As such, the assessment of the impact of the proposed development on it should be made following the guidance given in “The Setting of Historic Assets in Wales” rather than following the Assessment of Development on Historic Landscapes (ASIDOHL) methodology.

It is noted that there is a section of overhead power cables that cross the north western section of the application site. Consideration in consultation with National Grid and Western Power should be given to whether they are to be retained on site as they are or whether they are to be relocated or buried.

7.3 Ecology and Nature Conservation.

NRW have stated that there are a number of topics that have been scoped out and omitted from the ES, however they disagree that ecology and hydrology, flood risk and drainage should be scoped out for the reasons set out below under the relevant topics:

9.2.1 -An Ecology scoping Note was undertaken by Soltys Brewster Ecology, June 2021, and concluded the habitats on site were considered suitable to support foraging/commuting and roosting bats, nesting birds, priority listed terrestrial invertebrates and common reptiles. The occasional use by badger could not be ruled out. We therefore recommend ecology be included within the ES.

9.2.3 -Trees with bat potential have been identified and further surveys have been recommended which we agree with. The EIA scoping report advised that any trees categorised as having moderate to high potential for supporting bats are subject to further surveys (climbing inspections and/or activity surveys) in accordance with best practice. Should bat roosts be confirmed, we advise that an assessment of the impacts of the scheme on these roost sites and proposals to mitigate or compensate for them is also addressed in the ES.

9.2.5- Appropriate mitigation measures for nesting birds has been proposed, but no detail has been provided. Further details are required in the ES.

9.2.9- A pollution prevention plan is proposed to avoid impacts to protected sites (Eglwys Nunydd Reservoir SSSI and Junction 38 Wetland Complex SINC). There is a ditch present on site which may have hydrological links to these sites. An assessment of direct and indirect impacts on protected sites will need to be considered as part of the ES under both Ecology and Drainage - Hydrology.

The ES for this proposal should include sufficient information to enable the relevant decision makers to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals. Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short, medium and long term; permanent and temporary; positive and negative, and construction, operation and decommissioning phase and long-term site security impacts on the nature conservation resource, landscape and public access.

Similarly, the Council's Biodiversity Officers also disagree with the scoping out of Ecology from the EIA for the following reasons:

- The bat surveys have not been completed and we are aware, though a previous application on the adjacent site (P2020/0601), that Lesser horseshoe, Myotis species, Common pipistrelle and Soprano pipistrelle bats use the site. The potential impact on the species requires assessment following the completion of the additional surveys.
- A hydrological connection to the adjacent SINC and nearby SSSI has not been ruled out. This requires further assessment given the development site's proximity to the 'Mother Ditch'.
- An assessment of potential air quality affects on the nearby SSSI and SAC is required (we appreciate that they are currently covered in the Air Quality chapter).

In addition, the following are required which could all be covered by a chapter in the EIA:

- A balance of S7/LBAP/SINC habitat/species loss/gain to the scheme.
- An assessment of ecosystem resilience (Section 2 Environment (Wales) Act 2016); this shall particularly consider:
 - (a) *diversity between and within ecosystems;*
 - (b) *the connections between and within ecosystems;*
 - (c) *the scale of ecosystems;*
 - (d) *the condition of ecosystems (including their structure and functioning);*
 - (e) *the adaptability of ecosystems.*
- An assessment of impacts upon bird habitat (Section 9a Conservation of Habitats and Species Regulations 2017 as amended).
- Details of biodiversity enhancement measures in line with Planning Policy Wales 11 and section 6 of the Environment (Wales) Act 2016.

The Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016. It is therefore essential that the above recommendations for the conservation of biodiversity be followed to ensure that the Planning Authority complies with this statutory requirement along with the adopted guidance in the Biodiversity supplementary planning guidance and TAN 5 (2009)

The potential ecological impacts associated with the development's impact upon the existing trees both on site and along the boundaries, particularly adjoining Tyn Y Caeau where the trees have been the subject of a recent Tree Preservation Order; together with the potential loss of trees should also be assessed in terms of the impact upon Ecology and Landscape and Visual Impact both alone and in combination with the adjoining development at Tyn Y Caeau. Consideration should be given to the mitigation of any such losses through replacement trees of suitable native species, as well as potential enhancement issues.

The consultees have not identified any specific requirement for scoping of birds other than any issues identified within the Phase 1 Habitat Assessment and as identified above.

7.4 Archaeology and Cultural Heritage.

Cadw, as the Welsh Government's historic environment service, has assessed the characteristics of this proposed development and its location within the historic environment. In particular, the likely impact on designated or registered historic assets of national importance. In assessing if the likely impact of the development is significant Cadw has considered the extent to which the proposals affect those nationally important historic assets that form the historic environment, including scheduled ancient monuments, listed buildings, registered historic parks, gardens and landscapes.

These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

Assessment

The scoping request was accompanied by a scoping report produced by Boyer, which confirms that Archaeology and Cultural Heritage will be included in the EIA: However, it suggests a study zone of 2km for designated historic assets around the proposed development whilst it is Cadw's opinion that a 3km study zone would be more appropriate.

The above (below) designated historic assets are located inside 3km of the application area and the impact of the proposed development on their settings should be assessed in accordance with the Welsh Government guidance given in the document "The Setting of Historic Assets in Wales". We would expect a stage 1 assessment to be carried out for all of the above designated heritage assets, which will determine the need, if necessary, for stages 2 to 4 to be carried out for specific heritage assets.

We note that the application area is outside the boundaries of the registered Margam Mountain Landscape of Special Historic Interest and therefore there will be no direct impact on it. Consequently the impact on this registered landscape will be on its setting rather than directly. As such the assessment of the impact of the proposed development on it should be made following the guidance given in "The Setting of Historic Assets in Wales" rather than following the Assessment of Development on Historic Landscapes (ASIDOHL) methodology

Our records show that the following historic assets are potentially affected by the proposal.

Listed Buildings:

14148	St Mary's Abbey Church	I
	Ruins of Chapter House and Vestibule of St Mary's	
14149	Abbey	I
14150	Ruined Undercroft at St Mary's Abbey	I
14151	Almshouses	II
14152	Margam Orangery	I
	Ivy Cottage including Facade of Former Banqueting	
14153	House	I
14155	Hen Eglwys	II*
14157	Barn at Eglwys Nunydd	II
14158	Old Park	II*
	Churchyard Walls and Gate Piers to St Mary's Abbey	
14161	Church	II
14162	Kitchen Garden Walls including Vinery Glasshouse	II
14163	Terrace Walls and Screen at Margam Castle	II*
14164	Middle Lodge	II
14165	Cwm Cottage	II
14166	Margam Cottage	II
14167	2 Grove Cottages	II
14168	Piers and Gates at East Lodge and Flanking Walls	II
14169	Gateway and Quadrant Walls Leading to Twyn yr Hydd	II
14170	Margam Castle	I
14172	Beulah Calvinistic Methodist Chapel	II*
22806	Gibeon Chapel	II
22808	Milepost	II
23263	Twyn yr Hydd	II
23264	Citrus House	II
23265	Retaining Wall adjoining Citrus House	II

23266	Stone Steps in Terraced Garden	II
	Terrace with Pools and Flower Beds Fronting Margam	
23267	Orangery	II*
23268	Turbine House	II
23269	Stones Museum	II
23270	War Memorial	II
23271	Pair of Gate Piers to the Former Margam House	II
23272	Ornamental Pool	II
23273	Former Changing Room	II
23274	Monastic Baths	II*
23275	Broadwalk Steps	II
23276	Arch over Culvert	II
23277	Farm Building at Twyn yr Hydd	II
	Service Buildings including Courtyard Walls at Margam	
23278	Castle	II*
23279	Kitchen Garden Wall and Glass House at Twyn yr Hydd	II
23280	Garden Wall at Twyn yr Hydd	II
23281	Entrance to Twyn yr Hydd and Flanking Walls	II
23282	Vestry at Beulah Chapel	II
23283	Gates, Piers and Railings at Beulah Chapel	II
23284	Milepost at Tollgate Park	II
23285	Milepost near Margam Park Entrance	II
23286	Milepost near Old Park	II
23289	Granary at Ty'n y Cellar	II
23290	Former Cow-house at Ty'n y Cellar	II
23291	Ty'n y Cellar and adjoining Barn	II
23292	Cart Shed, Stable and Cow-House at Ty'n y Cellar	II
23293	3 Grove Cottages	II
87732	Margam Crematorium	II*

Scheduled Ancient Monuments:

GM005 Margam Abbey
 GM011 Margam Inscribed & Sculptured Stones
 GM056 Danish Camp
 GM159 Ergyd Uchaf Round Barrow
 GM160 Ergyd Isaf Round Barrows
 GM162 Mynydd y Castell Camp
 GM163 Hen Eglwys
 GM179 Ty'n-y-Cellar Standing Stone
 GM477 Half Moon Camp
 GM488 Chain Home Low Radar Station, Margam
 GM545 Margam Medieval Bath House

Registered Historic Parks and Gardens:

PGW (Gm) 52(NEP) Margam Park (grade I)

Registered Historic Landscapes:

HLW (WGI/MGI) 2 Margam Mountain"

Should further clarification of their comments be required, their full response, contact details and the project reference number is shown in their letter which is within appendix 1.

Glamorgan Gwent Archaeological Trust are the Council's consultants on Archaeological matters. They have stated that the Archaeology and Cultural Heritage section (Section 8.4) indicates the potential for early peat deposits to contain settlement evidence and paleoenvironmental information. As well as medieval remains associated with reclamation works by Margam Abbey, it also lies close to the line of the Roman road (RR60c-05a) running from Cardiff to Neath.

As a result, it is intended to carry out an archaeological desk-based assessment to the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA). Such an approach is entirely appropriate, and they look forward to reading the assessment. As stated by the CIfA Standards and Guidance, the assessment will need to be carried out to a submitted and approved Written Scheme of Investigation (WSI).

Information in relation to the Registered Landscapes and the associated ASIDHOL2 assessment is given with the Landscape and Visual Impact Assessment section above.

It should also be noted that, depending on the results of the desk-based assessment, further archaeological works may be required. Depending on the nature of such works it may be appropriate to conduct them pre or post-determination. Furthermore, it is their policy to recommend that all archaeological work is carried out by a Registered Organisation (RO) with the Chartered Institute for Archaeologists, or by a full Member (MCIfA) of the Chartered Institute for Archaeologists.

7.5 Noise and Vibration.

The Council's Environmental Health Officers have stated that:

As part of any Environmental Impact Assessment they would expect to see comprehensive detail outlining the potential contributions the development would have on the following:

- The impact of noise, dust and vibration during the construction phase should be covered, as well as potential impacts to air quality from all sources.
- The impacts of noise and vibration from the sites operation should also be outlined and assessed. These should also cover offsite factors such as increased road traffic, etc.

Any submitted assessment should identify whether the proposed development would require piling during the construction process and assessment different possible piling techniques that could be used before identifying the proposed piling methodology that will be undertaken together with any required mitigation methods.

7.6 Transport and Traffic.

Welsh Government – Transport has stated that given the numbers referenced for HGV use and the likely employee traffic generation they do not foresee impacts to their M4 slip roads at Margam. The associated forthcoming transport details should however confirm this and may be best as a simple line on percentage impact to the on and off-slips at Junction 38

The Highway Authority has stated that there will be a requirement for a Transport

Assessment/Statement to be submitted in accordance with TAN 18 Guidance.

It is noted that the site layout plan although indicative, does not appear to have direct access for public transport or cycling within the proposed road network. Development proposals must seek to maximise walking and cycling accessibility by prioritising the provision of appropriate on-site infrastructure and where necessary off-site infrastructure. Walking and cycling infrastructure and services should be prioritised and put in place from the outset, as per Planning Policy Wales, Edition 11 and Future Wales – The National Plan 2040. All new walking and cycling infrastructure should be built to standards set out in Welsh Government's Active Travel Guidance and off-site infrastructure should link to (where possible) routes on Neath Port Talbot Council's Active Travel Network Map. This shows where walking and cycling routes already exist (Existing Routes) and where upgrades or brand new routes are anticipated for the next 15 years (Future Routes) in built up areas. Further information on the Active Travel Guidance and Neath Port Talbot's Active Travel Network Map can be found here www.npt.gov.uk/activetravel

It is also noted that it would be expected that in accordance with Planning Policy Wales, Edition 11 and Future Wales – The National Plan 2040 under policy 12 – Regional Connectivity - that all new non-residential development should make a minimum provision of 10% of all new car parking space having electric vehicle charging points. Such a provision may need to be considered under the required Climate Change chapter as well.

The Council's Public Rights of Way Officer has confirmed that there are no public rights of way that would be directly affected by the proposed development.

It is also noted that the proposal appears to be seeking permission for 300 parking spaces for 150 predicted employees. The ES would need to explain how this would accord with the policies and guidance of Planning Policy Wales, Edition 11 and Future Wales – The National Plan 2040 as well as the resultant contribution to Air Quality and Climate Change chapters.

7.7 Hydrology, Hydrogeology and Geology.

As stated previously, NRW have noted that there are a number of topics that have been scoped out and omitted from the ES, which they disagree with including hydrology, flood risk and drainage. They consider that such topics should not be scoped out for the reasons as set out below:

Hydrology, Flood risk and drainage

The proposal is for a low vulnerable development on the edge of zone C2. A Flood Consequences Assessment (FCA) is required to demonstrate the risks and consequences of flooding can be managed to an acceptable level. The FCA will need to demonstrate compliance with Tables A1.14 & A1.15 of TAN 15 and ensure there is no increased flood risk elsewhere.

The section in the EIA scoping report states:

9.10.1 'Most of the site is located within flood Zone B with a small patch in Zone C2. The development use class is not classified as vulnerable development as per Technical advice note (TAN) 15: development and flood risk. In addition to this a SuDS scheme will be incorporated into the scheme to ensure its protection against fluvial flooding.'

Fluvial flooding cannot be assessed and mitigated as part of a SUDS scheme, and a separate assessment is required.

In their consultation response Dwr Cymru Welsh Water have stated that they “would advise that the proposed development site is crossed by various assets including a 450mm combined public sewer and 300mm trunk public watermain, which have protection zones measured 3 metres and 4.5 metres either side of the centreline respectively, along with foul water and combined rising mains along the northernmost point and southern boundary of the site as highlighted on the attached plans. Please note, no operational works or any part of proposed buildings shall be permitted within these protection zones and accordingly our strong recommendation is that your site layout takes into account the location of the assets crossing the site. In the first instance, it is recommended that the developer carry out survey work to ascertain the location of these assets and establish their relationship to the proposed development.

The scoping opinion report refers to ‘Hydrology, Flood Risk and Drainage’ (9.10) and for the purposes of any forthcoming environmental statement and/or drainage strategy, they would request further information in relation to the proposed foul water drainage strategy and anticipated foul water discharge rates and potable water consumption rates. If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

The applicant is also advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist them in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Their response is based on the information provided by the application. Should the proposal alter during the course of the application process they request that they are re-consulted and reserve the right to make new representation.” They are also a Statutory consultee of the Pre-application Consultation Process.

Their submitted response did not include a map with their assets shown, so it is strongly suggested that you contact them to seek clarification in relation to the location of the stated assets. Their contact details and reference numbers are shown on their submitted letter, which is located within appendix 1.

The Drainage Authority notes that SAB approval will be required prior to any work commencing. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on <https://www.npt.gov.uk/sab>

The existing balancing pond was designed to receive the highway water run-off from Harbour Way only. Therefore, a totally separate assessment is to be provided as part of the SAB

Application which will be required for this development.

The submitted SAB Scheme will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in [Schedule 3 of the Flood & Water Management Act 2010](#).

The impacts of such a SAB scheme would have to be fully assessed under the appropriate sections of any EIA including the Hydrological, Ecological and Climate Change sections of the ES. This section should include the hydrological connection to the adjacent SINC and nearby SSSI given the site's close proximity to the 'Mother Ditch'.

Health and Safety and Risk to Human Health.

The Health and Safety Executive is a statutory consultee for Local Planning Authorities in respect of planning applications and the Web App is freely available to obtain HSE's advice for this purpose. The team in Buxton and Bootle provide support to LPAs for our statutory role. Developers are also able to use our Web App to find out if they are within an HSE zone and for a fee, obtain our pre-application advice. HSE's LUP Team also offer a paid for pre-application service for applicants needing additional advice and information.

The document that were sent through to them (HSL-200915095518-1432) is an automatically generated document that the applicant has obtained through the HSE Land Use Planning Web App as part of our pre application advice service, this advice depends on the information that the applicant input into the web app. Without the details of the development, I cannot confirm that this would be HSE's advice should a planning application be submitted.

The majority of this application is located within a HSE Inner Consultation zone. HSE would not advise against a workplace development if there was less than 100 people in any one building and that each building has less than 3 occupied storeys. However, HSE would advise against a workplace development if any of the buildings were more than 2 storeys or had more than 100 people in them. As mentioned above, they cannot confirm HSE's advice as they cannot find the relevant details regarding the size of the buildings proposed.

Environmental Public Health have stated that they are content with the rationale outlined in the report of identifying the potential environmental effects due to the proposed development, in particular specific sections on air quality and noise. They disagree with the applicant's rationale that health as a topic has been initially screened out due to no direct emissions. It is accepted that that there will be mitigation measures in place for direct emissions to atmosphere (Part B listing under Environmental Permitting Regulations) however, health incorporates a wider set of parameters for consideration within the EIA Regulations and therefore needs to be considered.

They would suggest that coverage of population and human health are reflected as a discrete section within the ES. It would also be useful to consider the following five key principles that should underpin the coverage of population and human health within EIA

- Comprehensive approach to health
- Proportionate
- Consistency

- Equity
- Reasonableness

They state that the end point of EIA population and human health analysis should, where possible, describe the predicted health and well-being outcomes as outlined in Planning Policy for Wales Edition 11. There should be appropriate cross referencing to population and human health in all chapters.

Regarding environmental considerations, PPW11 highlights the need to consider aspects of climate change, including;

- Will the causes and impacts of climate change be fully taken into account through the location, design, build, operation, decommissioning and restoration; and
- Does it support decarbonisation and transition to a low carbon economy?

Finally, another potential health concern is the risk of fire. Where fires do occur, they can present a potentially serious risk to public health and the environment. It is important that this is properly assessed as part of the EIA.

As identified the development area is situation within the HSE's Consultation Zones for both a Major Installation (the BOC Plant) and a Major Hazard Pipeline. A plan has been created that shows the proposed development layout in relation to the consultation zones and are included within Appendix 2.

As such, any EIA carried out would have to consider the impacts upon human health associated with a major incident involving either of these features and an incident which would affect both of these features in combination.

Similarly, It is also understood that the proposed operation of the development may require the submission of a Hazardous Substance application, therefore any EIA should also considered the impacts associated with the storage and use of such substances on the site and their impact upon human health, hydrology, ecology and climate as well as the impacts that may occur during a major incident associated with the HSE's identified Major Hazards.

7.8 Air Quality.

NRW in their response have stated that their comments are in relation to Sites of Special Scientific Interest (SSSI) and National Site Network Sites (formerly the N2K sites). They make no comments that could be used for human health assessment. Their comments in this regard are as follows:

8.2.3 - the report has identified Eglwys Nunydd Reservoir SSSI and Kenfig Special Area of Conservation (SAC) but have omitted Margam Moors SSSI. Kenfig SAC has habitats sensitive to aerial pollution and nitrogen deposition and they agree this requires further assessment. Margam Moors SSSI is mainly a mesotrophic marshy fen meadow and sensitive to aerial pollution, therefore we would also expect this to be assessed fully as part of the ES.

The applicant will need to provide information so the Local Authority to carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species

Regulations 2017 prior to the determination of the planning application. The HRA should determine whether there will be an adverse effect on the integrity of the European sites.

Eglwys Nunydd Reservoir SSSI is designated for winter fowl and probably not sensitive to air pollution impacts therefore this may not need to be included as part of the assessment.

Construction Dust Assessment

8.2.14- They are satisfied with the proposed construction dust assessment will follow the methodology set out in IAQM 2016 Guidance identified.

Road Traffic Emissions Assessment.

8.2.16 -They are satisfied with the proposed road traffic emissions assessment will be screened against IAQM 2017 Guidance identified.

8.2.17- They agree that designated ecological sites will be identified for assessment in relation to Natural England 2018 advice note.

Industrial Emissions Assessment

8.2.21- The activity is likely to require a permit under Environmental Permitting (England and Wales) Regulations 2016 (as amended). Schedule 1 Part 2 is likely to be 2.2 (non-ferrous metals).

They recommend that the Environmental Permit is applied for at the same time as planning permission. This will help the developer and local planning authority to resolve permitting issues at the same time as decision making for the planning process.

An in-combination assessment of emissions may be necessary as there are already permitted Part A(1) activities located in close proximity to the proposed development, including two biomass combustion plants and an integrated steelworks.

Likely Significant Effects

8.2.23 -Indicates that dusts is not likely to be significant provided that mitigation will be the main focus to ensure appropriate controls. The mitigation will need to form part of the ES.

8.2.24- Predicted concentrations of the operational effects from both traffic and industrial process emissions will be assessed against the air quality objectives (critical levels and loads for designated sites) will be completed.

The IAQM guidance does make reference to the Gov.UK Air emissions risk assessment for environmental permit as a relevant guidance to help the assessment procedure. <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit> In terms of impacts on designated sites, they also suggest IAQM Holman et al (2020) guidance, IAQM Guidance landing page here <http://iaqm.co.uk/guidance/>

Air quality - scoped out

9.4.2- traffic volumes generated by construction and operation will not trigger a detailed traffic emission assessment and are scoped out, however we suggest further evidence is provided to demonstrate this.

The Council's Environmental Health Officers have stated that in relation to Air Quality from processes undertaken at the facility during the operational phase should be assessed. This

should look at the potential impact without mitigation as well as the predicted impact following the proposed controls. The individual processes being undertaken and their potential emissions, as well as the cumulative impact of the site should be outlined. They note from the Scoping Report provided that the site will undertake metals processing and therefore air quality assessments should also consider the effects of specific forms of pollutants that will be emitted from processes undertaken on site. It is also important to note that Port Talbot is subject to an Air Quality Management Area and the development will need to be assessed in line with the requirements of the AQMA.

7.9 Socio-economic Assessment.

Information in relation to crime prevention is given within the South–Wales Police Response which is included within appendices 1.

It is understood that the proposed development is likely to require security fencing to enclose their site. The impacts associated with such fencing upon ecology through the impact upon species routes should be considered and where necessary adverse impact mitigated. The impacts upon the visual amenity of the area through the proposed fencing product selection should also be a considered.

7.10 Climate.

Public Health.

Regarding environmental considerations, PPW11 highlights the need to consider aspects of climate change, including;

- Will the causes and impacts of climate change be fully taken into account through the location, design, build, operation, decommissioning and restoration; and
- Does it support decarbonisation and transition to a low carbon economy?

7.11 Waste.

Full consideration should be given to appropriate waste management systems throughout the design, construction and operation of the proposed development. Policy W3 of the Neath Port Talbot Development Plan will require the submission of a Site Waste Management Plan. This plan should consider both the construction and Operational stages of the development and should be used to inform the content of the EIA and subsequent ES.

7.12 Land and Ground Condition.

NRW have stated in relation to Agricultural Land and Soils that they note a detailed soil and agricultural land classification survey will be carried out, however they have no comments relating to this matter.

NRW have also stated that in relation to Geotechnical they are satisfied that the previous use to the site is undeveloped farm land, and the risk to controlled waters is minimal.

Nevertheless, if the proposed development scheme requires the use of piling then potential impacts of cross contamination should be considered within the submitted ES.

Coal Authority.

The Coal Authority have confirm that the site falls within the Development High Risk Area as identified by the Coal Authority. Therefore as part of any future planning application for this site the applicant will need to demonstrate to the LPA how they have considered the risk from former coal mining activity.

It is noted that the EIA Scoping Report, June 2021 prepared by Boyer (Section 9.11: Geotechnical) informs that a Geotechnical Desk Study has been undertaken by Terra Firma (May 2021) and considers that the overall risk to the surface stability of the site from possible unrecorded workings is considered negligible. The Report will need to be submitted as part of any formal planning application for this site in order that sufficient evidence is provided to the LPA that confirms that risk to the future development of this site from former coal mining activity can be discounted.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site (identified within Section 5.1.5 of the EIA Scoping Report); although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware, those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

The Council's Contaminated Land Officer has stated that he has no objection to the stated methodology but would if the developer were to be given favourable consideration request the imposition of a condition that would set out requirements should any unpredicted contamination be found on site.

8. Other Matters

This section does not constitute part of the Scoping Opinion, but addresses other issues related to the proposal.

NRW have stated that in relation to additional information not directly related to the ES that it is good practice to develop a Construction Environment Management Plan (CEMP) to be included in the ES. CEMPs should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

8.1 Habitats Regulation Assessment

[The Conservation of Habitats and Species Regulations 2017](#) require competent authorities, before granting consent for a plan or project, to carry out an appropriate assessment (AA) in circumstances where the plan or project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects). The competent authority in respect of an application is the Planning Authority in consultation with Natural Resources Wales. It is the Applicant's responsibility to provide sufficient information to the competent authority to enable them to carry out an AA or determine whether an AA is required.

When considering whether or not significant effects are likely, applicants should ensure that their rationale is consistent with the [CJEU finding](#) that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an AA and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site when determining whether

an AA is required ('screening'). The screening stage must be undertaken on a precautionary basis without regard to any proposed integrated or additional avoidance or reduction measures. Where the likelihood of significant effects cannot be excluded, on the basis of objective information the competent authority must proceed to carry out an AA to establish whether the plan or project will affect the integrity of the European site, which can include at that stage consideration of the effectiveness of the proposed avoidance or reduction measures.

Where it is effective to cross refer to sections of the ES in the HRA, a clear and consistent approach should be adopted.

NRW has stated in their response in relation to Air Quality that the applicant will need to provide information so the Local Authority to carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 prior to the determination of the planning application. The HRA should determine whether there will be an adverse effect on the integrity of the European sites.

8.2 Well-being of Future Generations Act

The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies to carry out sustainable development. It is the responsibility of the decision maker to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales. Under the Well-being Act, the planning system is required to deliver an improvement in all four aspects of well-being: social, economic, environmental and cultural. In order to demonstrate that appropriate consideration has been given to the Well-being goals and sustainable development principle in the decision-making process, public bodies are required to have regard to the 'five ways of working' contained in the Well-being Act. These require consideration of: involvement; collaboration; integration; prevention; and long term factors. It will be for each decision-making body to demonstrate how they have operated in this manner. Whilst not a legislative requirement, as part of the application documentation, the applicant may wish to consider submitting a statement to illustrate their view on how proposed developments contribute to the goals set by the Well-being Act.

Information in relation to crime prevention is given within the South-Wales Police Response which is included within appendices 1.

8.3 SuDS Consent

Whilst a separate legislative requirement from planning permission, the Applicant's attention is drawn to the statutory SuDS regime that came into force in Wales in January 2019. The requirement to obtain SuDS consent prior to construction may require iterative design changes that influence the scheme that is to be assessed within the ES and taken through to application. As such, it is recommended that the applicant contact the local SuDS Approval Body (SAB) early on.

The Drainage Authority (SAB) states that these systems must be approved by the Council's Highway Development Control service acting in its SuDS Approving Body (SAB) role before construction work begins. In this respect it is essential that a developer of any such project gains SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved.

If you have not done so already, and your development would not fall into any of the relevant exceptions, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDS design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. There is an additional charge of £250 for this service. This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at www.npt.gov.uk/sab.

Dwr Cymru Welsh Water have also stated that the proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Neath Port Talbot County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

While NRW stated that fluvial flooding cannot be assessed and mitigated as part of a SUDS scheme, and a separate assessment is required.