



THE TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT) (WALES)
REGULATIONS 2017
ENVIRONMENTAL STATEMENT

NON- TECHNICAL SUMMARY

For

Formation of a Truck Stop,
(Including Retention of Minor Alterations undertaken to approved
plans granted Planning Permission under P2005/0449 to form a
Guest House)

with addition of a Café and Erection of Rear Single-Storey
Extension to Accommodate Spa Facilities, together with Formation
of an HGV Parking Area with Electric Vehicle Charging Hub Points,
Internal Access Road & Associated Infrastructure
at Land at Tyn-y-Caeau, Margam Road, Margam, Port Talbot

on behalf of
Recycling Plant and Machinery Limited

Our Ref: 1112.b
Date: October 2022
Prepared by Richard Banks

INTRODUCTION

- 1.1 Evans Banks Planning Ltd. has been instructed by Recycling Plant & Machinery Limited in preparing an Environmental Statement (ES) in line with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. It accompanies an application for Full Planning Permission for the *“Formation of a Truck Stop, (including of Minor works undertaken approved granted Planning Permission under P2005/0449 for a Guest House) with Addition of a Café and erection of rear single-storey extension to accommodate spa facilities, together with formation of a HGV Parking Area with Electric Vehicle Charging Hub Points, Internal Access Road & Associated Infrastructure”* at Land at Tyn-y-Caeau, Margam Road, Margam, Port Talbot.
- 1.2 The application site forms a small holding set off the western flank of the A48 Margam Road, upon a section of that road which runs between Junction 38 of the M4 motorway at Margam and roundabout junction with the A4241 “Harbour Way” dual carriageway to Margam Steelworks. The small holding is some 4 acres in size and accommodates a detached two storey house with basement level, together with a modern two-storey detached annexe set within a compacted surfaced yard to the south-western corner of the site.
- 1.3 Planning permission was granted 25th May 2005 for the *“Proposed Guest House including the Construction of an Extension and the Refurbishment of Existing Studios”* by Neath-Port Talbot County Borough Council, under their application reference P/05/0449. The Council’s Building Control Section subsequently granted a “Completion Certificate” under the Building Act for the completion of works to the detached two-storey annexe at Tyn-y-Caeau on 5th October 2006. **These investigations and above revelation that planning permission existed for a Guest House at Tyn-y-Caeau is highlighted within this ES in that it is considered that such permission is a material consideration having a profound effect upon matters and issues raised in considering the environmental effects of the development proposal.**

- 1.4 The Council in response to an application for a Certificate of Lawfulness for an Existing Use Development has cast doubt on whether the 2005 permission remains extant. Their reasoning is that it is alleged that the development that took place in 2006 did not strictly comply with the plans approved under the above Planning Permission. Furthermore, the Council are opined that *“the lawful use of the site would now appear to be private residential dwellings.”*

The Applicants do not agree for a number of reasons, namely:

1. Those alleged alterations are minor, amounting to no more than a slight deviation to window and door placement, and as such the effect of which *“does not go to the heart of the planning permission.”* Those works were made in the full spirit of that permission and such a fact is not in doubt.
 2. Those works took place over 10 years ago, and thus by default are immune from being declared a breach of planning control. In any event, it is clear that such works are hardly such to warrant it expedient to seek regularisation under enforcement of planning control.
 3. The **use of the site** as a Guest House has not been suggested by the Applicants. What has been argued is that the works that took place constituted a commencement of development in accord with the 2005 planning permission. The detached annexe which was subject of those works has not been used as a separate dwellinghouse, and the main old house at Tyn-y-Caeau has not been subject to any works to form a Guest House, and thus its established use as a building is such as a dwellinghouse. The Authority's Council Tax records indicate that payments are being made as one vacant dwellinghouse.
- 1.5 The proposed development site lies within 2 kilometres of a number of Nationally or Internationally environmentally important sites (e.g., SSSIs, SACs or SPAs), these include SSSI Eglwys Nunydd Reservoir (715m away), Margam Moors (1370m away) and three designated Wildlife Sites/SINCs (Margam Country Park, Junction 38 Wetland Complex and Eglwys Nunydd).
- 1.6 Figure 1 below illustrates the setting of Tyn-y-Caeau with access off the A48 Margam Road. Figure 2 provides a Google Earth image which illustrates the property, with its

detached annexe, existing forecourt areas, grazing paddock and access driveway. The image also provides an indication of its proximity to the A4241 roundabout interchange which provides access to industrial uses at Margam associated with wood recycling and electricity generation.

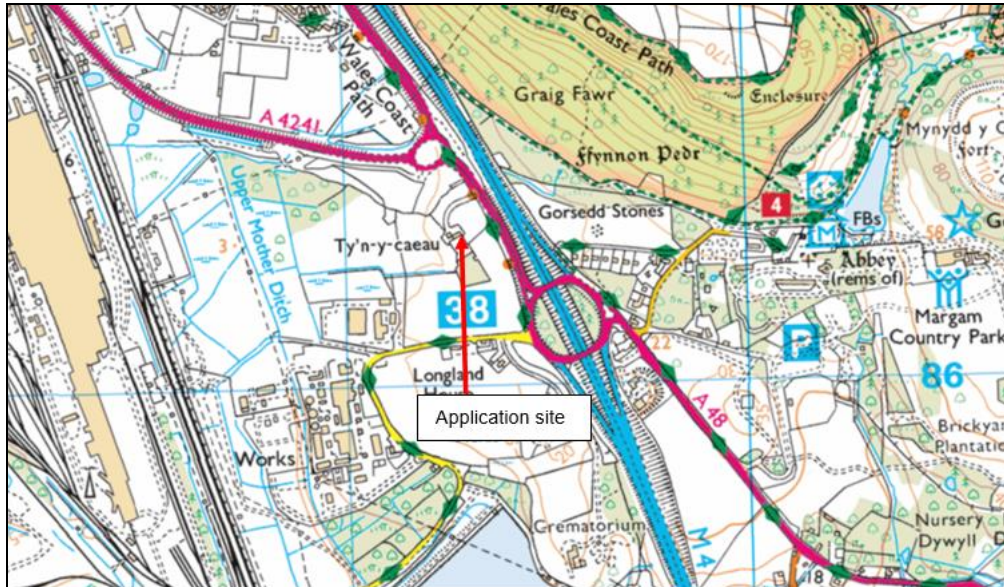


Figure 1 – Ordnance Survey Explorer Map Extract

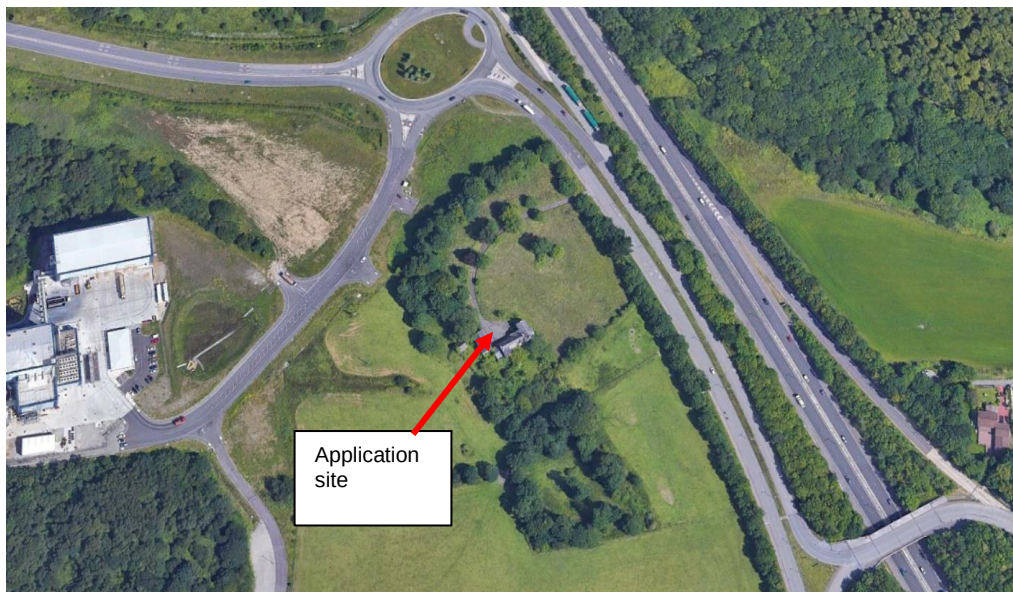


Figure 2 – Google Earth Image (June 2020)

- 1.7 The principal written output of the EIA process is this ES, which provides the required information on the predicted environmental impacts of the proposal. It has been

prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

1.8 BRIEF OVERVIEW OF THE PROPOSED DEVELOPMENT

The proposals seek to provide for a commercial Truck Stop set within the southern part of the Tyn-y-Caeau holding off Margam Road. The proposals will make use of the existing buildings, which have been partly adapted for use as a Guest House, by forming a transport hub and service area for HGV drivers and other motorists. The existing two-storey buildings will continue to accommodate over-night residential use but in the form of paying guest rooms, coupled with a café, and serving bar at ground and lower floor levels.

1.9 ENVIRONMENTAL STATEMENT STRUCTURE

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SUPPORTING DOCUMENTS

- Planning Design and Access Statement
- Existing & Proposed Annexe Elevations and Floor Plans

- Existing & Proposed House Elevations and Floor Plans
- Drainage Strategy Plan and Report
- Location Plan & Site Layout Plan
- Topographical Survey
- Tree Survey
- Proposed Bat Roost plans
- Bat Survey Report
- Coal Mining Risk Assessment
- Proposed Access Arrangement
- Ecology Appraisal Report
- Reptile Survey Report
- Grassland Survey Report
- Development Project Risk Assessment Report
- Landscape & Visual Assessment Report

1.11 PROJECT TEAM

Organisation	Expertise/EIA Input
Recycling Plant and Machinery Ltd	Applicants
Evans Banks Planning Ltd	Planning Consultants
I&G Ecological Consulting	Ecology
KvW Highways	Highway and Transportation
HCE Ltd	Water Resource and Flood Risk
Blandford Consulting	Ground Conditions and Geology
RTAC Surveys	Arboriculture Consultants
Silk Services Limited	Pre-Project Risk Assessment

1.12 ES PUBLIC VIEWING AVAILABILITY

The ES will be made available for viewing at Neath Port Talbot County Borough Council's website, as part of the submitted planning application, and at the agent's website www.evansbanks.com.

2.0 ASSESSMENT METHODOLOGY AND SIGNIFICANCE CRITERIA

2.1 INTRODUCTION & APPROACH

The ES has been prepared in accordance with statutory requirements and current guidance for EIA. In particular, the ES has been prepared with due consideration to:

- The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 – Schedule 4 (*information to include in environmental statements*)

2.2 ENVIRONMENTAL STATEMENT REQUIREMENTS

2.2.1 It is considered by the Local Planning Authority, that the Proposed Development falls within Section 10(b) of Schedule 2, namely: “(p) *Motorway Service Areas*” With a development footprint of some 1.62 hectares, the site exceeds the stated size threshold for this class of development, namely: “*The area of development exceeds 0.5 hectares*”

2.2.2 It is considered likely that the “*Proposed Development could potentially have a significant effect on the environment without suitable mitigation,*” and therefore the EIA is considered a statutory requirement and a necessity for the Proposed Development.

3.0 REASONABLE ALTERNATIVES

3.1 INTRODUCTION & THE DEVELOPMENT BRIEF

Evans Banks Planning Ltd. were instructed by Recycling Plant and Machinery Limited in preparing an application for Full Planning Permission for the *“Formation of a Truck Stop, with Café and erection of rear single-storey extension to accommodate spa facilities, together with formation of a HGV Parking Area with Electric Vehicle Charging Hub Points, Internal Access Road & Associated Infrastructure.”*

3.2 DESCRIPTION OF THE SITE AND SURROUNDING AREA

- 3.2.1 The application site forms a small holding set off the western flank of the A48 Margam Road, upon a section of that road which runs between Junction 38 of the M4 motorway at Margam and roundabout junction with the A4241 “Harbour Way” dual carriageway to Margam Steelworks. The site is some 4 acres (1.62 hectares) in size and accommodates a former detached two storey house with basement level, together with a modern two-storey detached annexe, enlarged in accord with a Guest House planning permission from 2005. It is set within a compacted surfaced yard to the south-western corner of the site.
- 3.2.2 The site consists predominantly of semi-improved grassland, mature native and non-native trees, house and outbuildings and associated garden planting, partially bounded by outgrown hedges/tree lines boundaries.
- 3.2.3 The property has been vacant in recent years yet nevertheless remains water-tight, with a full roof covering, window and door openings which have remained secure. The property is conspicuous by its double height bay window to the eastern side gable and high saddle roof. The property is set out internally as a detached house with glass conservatory to its rear.
- Detached to its western side, lies a two-storey annexe constructed in recent years with self-contained guest bedrooms uniformly set out over both floors.

- 3.2.4 The property is accessed via a long, single width surfaced driveway which runs for several hundred metres off a gated access to the A48 road. Open semi-improved grassland lies either side of the driveway with the landform gently undulating. The perimeters of the small holding are well-defined, being continuous rows of mature deciduous and evergreen trees, which encircle the site.
- 3.2.5 The property lies with further agricultural land to the south, which also bounds the western flank of the A48 as it descends in dual-carriageway form from the Margam motorway interchange. A wide highway verge is to be found which is equipped with surfaced footway, which also forms part of National Cycle Route 38 and the Wales Coastal Path.

3.3 SITE PLANNING HISTORY

- 3.3.1 Neath Port Talbot CBC have confirmed that the following planning applications have been submitted on the application site. Although, the LPA have been unable to confirm approved details to P2005/0449. This information has now been retrieved from the Agents acting on behalf of the Applicant:
- **P1984/4806** Change of use from house to guesthouse. Approved with conditions 02-DEC-1984
 - **P2005/0449** Proposed guest house including the construction of an extension and the refurbishment of existing studios. Approved with conditions 25-MAY-2005
 - **P2006/1396** Proposed guest house extension and refurbishment. Approved with conditions 22-NOV-2006
- 3.3.2 It has since come to the knowledge of the Appellants that works undertaken as part of planning permission P2005/0449 commenced during the first five years from the granting of that permission.
- Reference is made above to Planning Permission P2006/1396 which sought permission to construct a side extension to the main former house at Tyn-y-Caeau. It is accepted that this extension development did not commence, and therefore that permission has subsequently lapsed.

3.4 CONSIDERATIONS AND CONSTRAINTS

3.4.1 The layout of development has been steered by a number of on-site features such as:

- Existing buildings which have had the benefit of planning permission to be used as a Guest House
- Existing trees to be retained for landscape and amenity value, with any diseased or dying specimens replaced with similar specimens as part of a landscaping scheme.
- Existing hedgerows bounding to adjoining pasture in third party ownership to provide continued biodiversity interest and landscape value.
- Existing vehicular and pedestrian access onto A48 dual carriageway

3.4.2 Constraints

Bats - The former main house provides a habitat for a small number of bats, which therefore requires assessment and mitigation measures proposed to safeguard their habitat. An existing detached stone outbuilding is retained and proposed within the development scheme to act as a bat roosting opportunity and retained thereafter in perpetuity.

Proximity to Hazardous Installations – Tyn-y-Caeau is located within several hundred metres distance of two distinct “Consultation Zones” defined by the Health & Safety Executive. Those installations are a high-pressure gas pipeline which runs within the development site, parallel to the roadside perimeter with the A48 road, being several metres inside that tree-lined perimeter. The second hazardous installation relates to the BOC Chemical Plant off Heol Cae'r Bont, to the south-west of the site, separated by a series of open grazing fields.

However, it has been established that the buildings at Tyn-y-Caeau have had the benefit of a planning permission to accommodate a Guest House, and thus the site can and will be used to accommodate overnight paying guests. The formation of a Truck Stop has required the preparation of a “Pre-Project Risk Assessment Report” (prepared by Silk Services Limited). It acknowledges the presence of such

installations but presents logical data and methodology for the careful construction of the proposed Truck Stop parking areas and future operation of the guest and services accommodation. It concludes that there are **presently no greater risks** to people and property than that which would take place with a completed Guest House. **The effects of the current development proposals are therefore negligible in this context.**

Access to A48 Dual-Carriageway – the existing gated access to Tyn-y-Caeau requires revision if it is to allow two HGV vehicles to pass each other upon access and egress to the development. The proposals illustrate for a widening of the existing access and driveway within the site, together with a circulatory one-way system for all vehicles within the site. The proposals also provide for a divergence lane to be provided on-carriageway along the A48, through a remodelling of the existing roadside verge and associated footway /cycleway.

It must be borne in mind that the 2005 planning permission to create a Guest House did not contain any proposals to reform or improve the existing access. In other words, guests and visitors to a Tyn-y-Caeau Guest House would utilise the existing access arrangements and in doing have cause to decelerate and accelerate respectively upon entry and exit from the site, using the existing carriageway arrangements upon this section of A48 road.

The development proposals under this Application therefore propose highway betterment to all motorists using this section of dual carriageway which would not otherwise be available if the Guest House use commenced.

3.5 ALTERNATIVES

'NO DEVELOPMENT' ALTERNATIVE

3.5.1 The 'No Development' alternative refers to the option of leaving the Site in its current state. If the site were left undeveloped it would eventually become overwhelmed by nature which comes with it positive and negative consequences. The negative impacts include the following:

- A Brownfield site would remain unused and undeveloped.

- Given the site's location off Junction 38 of the M4, and immediately neighbouring the Margam Steelworks, Wood Waste Recycling Plant and proposed Strategic Employment Park, at Margam, the site lends itself to be easily accessible to cater for driver needs, including overnight sleep and rest facilities of which the Road Haulage Association (RHA) have been lobbying for better driving facilities for years. The Applicants consider this location and specific site as an ideal location for a truck stop facility.
- Currently lorries are parking in the lay-by at the A48/A4241 roundabout that is situated between the M4 corridor and the A48, there are no toilet or washroom facilities at this lay-by. The proposed development can address all associated highway issues by provided an access/egress to the site that is compliant with the latest highway design guidance for trunk roads. Existing buildings can be adapted for the proposed use without the need for rebuilding new structures.

REFURBISHMENT OF FORMER MAIN HOUSE FOR USE AS A GUEST HOUSE

3.5.2 The Applicants have given due consideration, since the recent discovery that the 2005 planning permission to setting about a refurbishment of the former main house and opening a Guest House, with the extended Annexe providing additional bedspaces for that Guest House use. Such a continuation of works would involve using the existing grounds and vehicular access without need for any change or improvement.

Should the reapplication be refused, the **Appellants will take this course of action** to make productive use of their property asset and create employment and commercial gains, making a return on their investment.

3.5.3 *ALTERNATIVE SITES*

The location of the proposed development and considers it to be an ideal locality for a truck stop. With this in mind, the Applicant completed a Pre-Application Enquiry with the LPA (Pre-App Ref: Q2018/0076) for the *Proposed HGV service area, recreation/picnic area, toilet/shower facilities, shop/restaurant, maintenance/spare parts facility and security area* at Land off A4241 (Harbour Way Roundabout).

3.5.4 The Council considered this indicative proposals but considered it inappropriate as it had designated that site for future employment uses within the LDP. It was not considered that a proposed truck stop met the aspirations or development goals for this part of the J38 Strategic Employment Park.

It was also indicated that part of this alternative site was not suitable for development given that it lay within a Zone C2 floodplain, and as such its development would fail against the tests of suitability under Technical Advice Note 15.

3.5.5 The Appellants have combed sales particulars of regional and local estate & land agents for any alternative site in the Port Talbot area which may have similar locational characteristics to the site at Tyn-y-Caeau. That being a site immediately located off the M4 corridor for ease of access; located at a safe habitable distance from any residential properties, so as not to create any potential for a loss of residential amenity; be not located in a designated flood zone; or not placed near any commercial activity which could cause disturbance to the occupiers of a guest house / truck stop. **No such alternative sites have been discovered.**

4.0 THE PROPOSED DEVELOPMENT

4.1 DESIGN CONCEPT

- 4.1.1 The proposals seek to provide for a commercial Truck Stop set within the southern part of the Tyn-y-Caeau holding off Margam Road. The proposals will make use of the existing buildings, by forming a transport hub and service area for HGV drivers and other motorists. The existing two-storey buildings will continue to accommodate overnight residential use but in the form of paying guest rooms, coupled with a café, and serving bar at ground and lower floor levels. The proposed scheme seeks to convert the first-floor space to 8 guest rooms, together with the removal of the rear conservatory to form an extension, introducing spa facilities for overnight guests. An additional 8 guest rooms can be provided within the two-storey annexe with the only alterations being internal sub-division of rooms to create en-suite bathrooms.
- 4.1.2 The proposals would allow for all guests to utilise the ground floor café which extends into the basement area where a licenced bar could function. The ground floor could also provide meeting facilities and networking opportunities with those rooms let out to motorists also enjoying the other facilities at Tyn-y-Caeau.
- 4.1.3 The proposed site layout reveals that HGV parking can take place away from the expansive tree perimeters and their respective root protection zones. Parking for up to 21 HGVs can take place about the eastern and central areas within the site, whilst still allowing the majority of open pasture to remain undeveloped. **The Applicants intend to introduce electric charging points to all HGV as well as regular car parking areas within the site. This is in response to the changing method of fuelling all vehicles as the UK steps away from a reliance on petrol and diesel to electrically generated vehicles.** There are no such facilities dedicated to HGV drivers in South Wales at present, and the site's location at the doorstep of Margam and Port Talbot which is heavily reliant on HGV good trading to facilitate its steelworks, general employment and warehousing units.

Proposed Attenuation Basin

Initial Access Road Widened to 7.5m

Existing Trees Fully Retained

Central Grassland Retained

Parking

HGV Parking (see T.C.D. document for parking details)

Deceleration Lane 80m

NEW ROUNDABOUT AHEAD (It is suggested that this sign can be removed)

Existing Trees & Hedgerows Fully Retained

HGV TATA sign to be moved to opposite island behind visibility splay and outside of footway / cycle route

Existing Access Modified with 20m Radius (Refer to LPH Highway Plan)

Local direction map sign

200m count sign

Proposed Bat Roost within Existing Stone Outbuilding

Site Block Plan 1:500

0 5 10 15 20 25 30 35 40 45 50m

Linear Scale 1:500

4.1.15 The Applicants have carefully considered the need and demand for such facilities and noted that there are no dedicated truck stop facilities within Neath-Port Talbot, let alone neighbouring counties of Swansea or Carmarthenshire. Limited truck driver facilities are available at Sarn Park services near Bridgend. Instead, it is noted that HGV drivers are parking overnight in lay-bys, such as off the opposite flank of the A48 at Margam. There are no facilities in which truck drivers can park and enjoy an overnight stop, with guest room facilities.

- 4.1.6 Port Talbot is dependent on a whole range of employment uses, needing 24/7 access to the M4, and the facility would serve those drivers without placing the movement of HGVs into contact with residential properties and also the movement of the adjoining Strategic Employment Site, should it come into fruition in line with the LDP.

4.2 **SCALE**

- 4.2.1 The submitted site layout provides an illustration of the existing footprints of the Tyn-y-Caeau former house and adjacent Annexe. Under these proposals, neither building will be altered in scale. The existing buildings will merely be refurbished, with the only significant change being the removal of the rear conservatory to be replaced by single-storey spa extension, together with external fire escape stairwell.

4.3 **LAYOUT OF DEVELOPMENT**

- 4.3.1 The proposals within the submitted site layout illustrate the widening of the existing access driveway and straightening of its initial section to allow satisfactory use by HGVs. A small area of vegetation and two semi-mature trees would have to be cleared to widen the existing gates onto the A48 carriageway. Replacement planting will be introduced to compensate for the loss of those two specimens. The A48 road is “one-way” at this point with all vehicles having to enter from the north and exit to the south. This section of highway offers several hundred metres of visibility to allow for adequate sight of oncoming vehicles, together with deceleration of vehicles to negotiate turning radii which is proposed to be widened to 20 metres.
- 4.3.2 The proposals will also allow for the overwhelming majority of existing trees on the site to be fully retained, with the HGV and car parking carefully positioned and sited to avoid contact with root protection areas.
- 4.3.3 Figure 4 below is a reproduction of the Tree Protection Plan, from the submitted Tree Survey. There was a perception by the Local Planning Authority in considering the 2020 application that the proposals involved the mass felling of trees. The above Tree Protection Plan demonstrates that this is not the case, and specimens will be removed only if diseased or dead. Unfortunately, a number of specimens bordering

This site plan shows the 'L' shaped building complex with various trees and their measurements. The trees are labeled with codes like T231, T232, T234, T235, T236, T238, T242, T244, T245, T249, T250, T252, T253, T254, T255, T256, T259, T260, T261, T262, T263, T264, T265, T266, T267, T268, T269, T270, T271, T272, T273, T274, T275, T276, T277, T278, T279, T280, T281, T282, T283, T284, T285, T286, T287, T288, T289, T290, T291, T292, T293, T294, T295, T296, T297, T298, T299, T300, T301, T302, T303, T304, T305, T306, T307, T308, T309, T310, T311, T312, T313, T314, T315, T316, T317, T318, T319, T320, T321, T322, T323, T324, T325, T326, T327, T328, T329, T330, T331, T332, T333, T334, T335, T336, T337, T338, T339, T340, T341, T342, T343, T344, T345, T346, T347, T348, T349, T350, T351, T352, T353, T354, T355, T356, T357, T358, T359, T360, T361, T362, T363, T364, T365, T366, T367, T368, T369, T370, T371, T372, T373, T374, T375, T376, T377, T378, T379, T380, T381, T382, T383, T384, T385, T386, T387, T388, T389, T390, T391, T392, T393, T394, T395, T396, T397, T398, T399, T400, T401, T402, T403, T404, T405, T406, T407, T408, T409, T410, T411, T412, T413, T414, T415, T416, T417, T418, T419, T420, T421, T422, T423, T424, T425, T426, T427, T428, T429, T430, T431, T432, T433, T434, T435, T436, T437, T438, T439, T440, T441, T442, T443, T444, T445, T446, T447, T448, T449, T450, T451, T452, T453, T454, T455, T456, T457, T458, T459, T460, T461, T462, T463, T464, T465, T466, T467, T468, T469, T470, T471, T472, T473, T474, T475, T476, T477, T478, T479, T480, T481, T482, T483, T484, T485, T486, T487, T488, T489, T490, T491, T492, T493, T494, T495, T496, T497, T498, T499, T500, T501, T502, T503, T504, T505, T506, T507, T508, T509, T510, T511, T512, T513, T514, T515, T516, T517, T518, T519, T520, T521, T522, T523, T524, T525, T526, T527, T528, T529, T530, T531, T532, T533, T534, T535, T536, T537, T538, T539, T540, T541, T542, T543, T544, T545, T546, T547, T548, T549, T550, T551, T552, T553, T554, T555, T556, T557, T558, T559, T560, T561, T562, T563, T564, T565, T566, T567, T568, T569, T570, T571, T572, T573, T574, T575, T576, T577, T578, T579, T580, T581, T582, T583, T584, T585, T586, T587, T588, T589, T590, T591, T592, T593, T594, T595, T596, T597, T598, T599, T600, T601, T602, T603, T604, T605, T606, T607, T608, T609, T610, T611, T612, T613, T614, T615, T616, T617, T618, T619, T620, T621, T622, T623, T624, T625, T626, T627, T628, T629, T630, T631, T632, T633, T634, T635, T636, T637, T638, T639, T640, T641, T642, T643, T644, T645, T646, T647, T648, T649, T650, T651, T652, T653, T654, T655, T656, T657, T658, T659, T660, T661, T662, T663, T664, T665, T666, T667, T668, T669, T670, T671, T672, T673, T674, T675, T676, T677, T678, T679, T680, T681, T682, T683, T684, T685, T686, T687, T688, T689, T690, T691, T692, T693, T694, T695, T696, T697, T698, T699, T700, T701, T702, T703, T704, T705, T706, T707, T708, T709, T710, T711, T712, T713, T714, T715, T716, T717, T718, T719, T720, T721, T722, T723, T724, T725, T726, T727, T728, T729, T730, T731, T732, T733, T734, T735, T736, T737, T738, T739, T740, T741, T742, T743, T744, T745, T746, T747, T748, T749, T750, T751, T752, T753, T754, T755, T756, T757, T758, T759, T760, T761, T762, T763, T764, T765, T766, T767, T768, T769, T770, T771, T772, T773, T774, T775, T776, T777, T778, T779, T780, T781, T782, T783, T784, T785, T786, T787, T788, T789, T790, T791, T792, T793, T794, T795, T796, T797, T798, T799, T800, T801, T802, T803, T804, T805, T806, T807, T808, T809, T810, T811, T812, T813, T814, T815, T816, T817, T818, T819, T820, T821, T822, T823, T824, T825, T826, T827, T828, T829, T830, T831, T832, T833, T834, T835, T836, T837, T838, T839, T840, T841, T842, T843, T844, T845, T846, T847, T848, T849, T850, T851, T852, T853, T854, T855, T856, T857, T858, T859, T860, T861, T862, T863, T864, T865, T866, T867, T868, T869, T870, T871, T872, T873, T874, T875, T876, T877, T878, T879, T880, T881, T882, T883, T884, T885, T886, T887, T888, T889, T890, T891, T892, T893, T894, T895, T896, T897, T898, T899, T900, T901, T902, T903, T904, T905, T906, T907, T908, T909, T910, T911, T912, T913, T914, T915, T916, T917, T918, T919, T920, T921, T922, T923, T924, T925, T926, T927, T928, T929, T930, T931, T932, T933, T934, T935, T936, T937, T938, T939, T940, T941, T942, T943, T944, T945, T946, T947, T948, T949, T950, T951, T952, T953, T954, T955, T956, T957, T958, T959, T960, T961, T962, T963, T964, T965, T966, T967, T968, T969, T970, T971, T972, T973, T974, T975, T976, T977, T978, T979, T980, T981, T982, T983, T984, T985, T986, T987, T988, T989, T990, T991, T992, T993, T994, T995, T996, T997, T998, T999, T1000. The measurements are in meters (M) and include values like 24M, 7M, 2M, 15M, 20M, 4M, 2M, 5M, 7M, 10M, 8M, 12M, 10M, 20M, 25M, 15M, 20M, 4M, 2M, 5M, 7M, 10M, 8M, 12M, 10M, 20M, 25M, 15M, 20M, 4M, 2M, 5M, 7M, 10M, 8M, 12M, 10M, 20M, 25M, 15M, 20M, 4M, 2M, 5M, 7M, 10M, 8M, 12M, 10M, 20M, 25M, 15M, 20M, 4M

4.4.1 The proposals illustrate for the two existing buildings to be retained in painted render, grey tiled roofs and with oak-coloured upvc windows. Views from the public highway

are very restricted as a consequence of the distance of some 100 metres from the A48, but also due to the high, mature tree lines about all perimeters.

- 4.4.2 Views of the two buildings will therefore remain largely unchanged, with both buildings appearing enhanced with fresh external painting, roof coverings and new doors and windows, but retained in original frames. The accompanying Landscape & Visual Impact Assessment Report confirms that the actual interior of the site is not visible from an overwhelming number of public vantage points. Even when it is visible from higher ground, those proposals are set against the stark backdrop of industrial plant, buildings and structure which simply dwarf the formation of an HGV parking area at Tyn-y-Caeau.

4.5 LANDSCAPE DESIGN

- 4.5.1 It is considered that the proposals offer a transport service facility which seeks to integrate with the Strategic Employment surroundings with an existing residential property and its Guest House Annexe being utilised and improved. Tyn-y-Caeau is unique in this sense, in that it is potentially surrounded by new employment development but retains its excellent linkage with the A48 and M4.
- 4.5.2 The proposals will provide for a retention of perimeter trees and hedgerows, and specifically the A48 roadside, which will prevent passing motorists, walkers and cyclists from views into the site, and of parked HGVs. Nevertheless, those HGVs will be parked on existing ground levels, which is compatible with the A48 road levels, and thus will not appear pronounced or conspicuous at this location.
- 4.5.3 The proposals also illustrate for additional planting within the grounds of the site, specifically along the inner course of the widened internal driveway.

4.6 DETAILS OF CONSTRUCTION PHASE

4.6.1 The site at Tyn-y-Caeau already has had the benefit of planning permission for use as a Guest House, and thus it will be the Applicants intend to undertake works to rejuvenate that use, with added HGV parking area, in the following programme:

1. Installation of temporary protective fencing to all trees and perimeter hedgerows
2. Formation of conversion works to form Bat Mitigation Roost within the identified detached outbuilding off the western perimeter of the site
3. Refurbishment of host property – following granting of a Protected Species Licence – to include works to repair of host roof, removal of conservatory and construction of new kitchen extension. Internal fit-out to approved floor plan layout specification.
4. Minor internal works to detached Annexe to install en-suite facilities to all rooms
5. Excavation and preparation of drainage attenuation basin and removal of topsoils to form HGV parking area and excavate drainage channelling to new attenuation basin.
6. Perform groundworks to establish final parking area surfacing, associated drainage and access driveway widening.
7. Works to form access widening and formation of slip roads upon A48 carriageway with remedial works to footway and cycle way

5.0 PLANNING POLICY CONTEXT

5.1 NATIONAL PLANNING POLICY

- 5.1.1 National planning policy guidance is provided by “***Future Wales: The National Plan 2040***” and ***Planning Policy Wales (Edition 11) (February 2021)***, together with selected Technical Advice Notes, with the Council referring to TAN 12 (Design) and TAN 5 (Nature Conservation) in the 2020 refusal notice. The Applicants agree that those TANs are relevant but would also wish to draw their attention to guidance provided within Technical Advice Note 23 (Economic Development) (February 2014).
- 5.1.2 Paragraph 1.2.5 of TAN 23 states that “*Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.*”. Paragraph 1.2.6 goes further stating “*In line with these principles, there will be instances where the planning system may not provide the land the market demands, and in the places where the market demands it. Some proposed developments or sites may be resisted by planning authorities – for example because they would have unacceptable environmental impacts, divert demand from town centres or would go against agreed spatial strategies. In these circumstances, so far as possible planning authorities (and planning applicants) are encouraged to look for alternative sites which offer the same, or very similar, advantages.*”
- 5.1.3 The proposals seek to wholly utilise a former dwellinghouse and its annexe, which received planning permission to use as a Guest House, and its immediate curtilage to provide a transport-related facility located directly off the M4 motorway and the pivotal node that is Junction 38 at Margam. However, the proposals do not seek to create new buildings, **instead the two existing buildings will be used without any wholesale alterations**. Such a re-use and adaptation is firmly in line with national advice given in paragraph 2.5.1, which states that: *The re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, and tourism, sport and recreation.*

In recognising this, local planning authorities are expected to adopt a positive approach to the conversion of rural buildings for business re-use, especially those buildings located within or adjoining farm building complexes on the basis that:

- they are suitable for the specific use.*
- conversion does not lead to dispersal of activity on such scale as to prejudice town and village vitality;*
- their form, bulk and general design are in keeping with their surroundings;*
- imposing conditions on a planning permission overcomes any planning objections, for example on environmental or traffic grounds, which would otherwise outweigh the advantage of re-use;*
- if the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction;*
- conversion does not result in unacceptable impacts upon the structure, form, character or setting where the building is of historic and / or architectural interest*

5.1.4 Within the “*Future Wales: the National Plan 2040*”, the site at Margam is located in the “*Swansea Bay and Llanelli National Growth Area*”. Policy 11 “*National Connectivity*” indicates that “*Planning authorities should support developments associated with improvements to national connectivity and, where appropriate, maximise the opportunities that arise from them.*”

5.2 LOCAL PLANNING POLICY

5.2.1 The development plan in form for the purposes of Section 38(6) of the Planning & Compensation Act 2004 is the Neath-Port Talbot Local Development Plan, which was adopted in January 2016.

5.2.2 The application site is located within the Margam Moors part of Port Talbot as contained within the Plan. The Proposals Map of the LDP is reproduced below as Figure 12 and indicates the land encircled to the north, south and west by allocations for future strategic employment growth, under Policy EC1 and Policy W/1/1 relating to land set aside for potential In-Building Waste Treatment Facilities. The site at Tyn-y-

Caeau is unallocated, probably as it is held in private ownership, whereas land adjoining is held in public ownership for future employment growth.

The application site is encircled by Strategic Employment land allocation (EC1) as part of the current Neath Port Talbot CBC LDP. This is shown below at Figure 5:

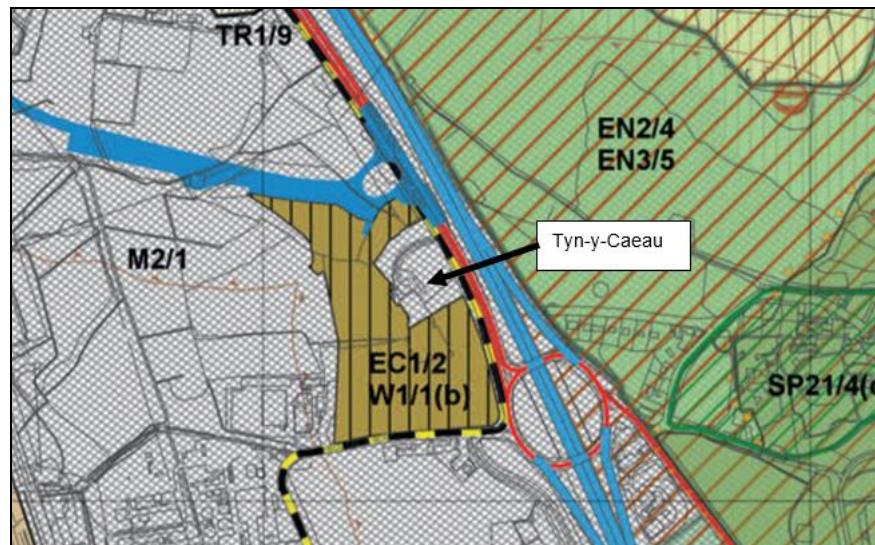


Figure 5 – Extract from LDP Proposals Map

5.2.3 Policy EC1 of the LDP earmarks “Land south of J38” as “*The strategic employment allocation at J38 lies to the south of Harbour Way and adjacent to the A48 and M4 and thus benefits from excellent road transport links. The site is near to a number of existing employment and industrial operations. Harbour Way passes to the north of the allocation improving the transport linkages to the site. It is anticipated that the site will be delivered over the short term.*”

5.2.4 Policy SC1 “Settlement Limits” provides exceptions by which development proposals can be considered acceptable, stating that: “*Outside settlement limits, development will only be permitted under the following circumstances:*

It constitutes a sustainable small-scale employment use adjacent to a settlement limit; or (criterion 1.), or;

*It constitutes the small-scale expansion of an existing business **or the suitable conversion of an existing building;** (criterion 3.)*

5.2.5 The Application proposals at Tyn-y-Caeau involve the **conversion** and adaptation of a former dwelling and its detached annexe, together with the formation of a hard-surfaced parking area for HGVs and cars. No new buildings are proposed, with the only “new construction” being the replacement of an existing rear conservatory with a single-storey extension.

The external proposals involve the laying of hardsurfacing over approximately 30% of the southern part of the open grassland between the existing buildings and perimeter with the A48 road corridor. Those engineering works are therefore wholly ancillary and subordinate to the proposed use of the host buildings as overnight sleeping accommodation, with daytime café and spa.

The proposals **fall into an appropriate exception as dictated by Policy SC1.**

6.0 ECOLOGICAL ASSESSMENT

6.1 INTRODUCTION

6.1.1 I&G Ecological Consulting surveyed the site as part of conducting a Preliminary Ecological Assessment on 20th January 2020. As a result of the findings Bat dusk surveys were undertaken on 30th May and 13th June 2020 and a dawn survey was undertaken on 27th June 2020. A further assessment for bat activity and potential roosting of the perimeter trees at Tyn-y-Caeau, especially specimens proposed for removal as part of the access widening scheme was undertaken in November 2020.

6.1.2 As part of their on-going diligence of assessing bat potential at the site, **I&G Ecology returned to Tyn-Y-Caeau in early August 2022.**

The Preliminary Ecological Assessment is appended to this ES as **Appendix 1.**

The updated (August 2022) Bat Survey Report is appended as **Appendix 2.**

A Landscaping Plan is reproduced as **Appendix 3.**

A Dormice Mitigation Report is reproduced as **Appendix 4.**

Appendix 5 provides a Reptile Survey and Mitigation Report (July 2022).

Appendix 6 provides a Grassland Survey and Assessment Report (July 2022).

6.1.3 **Ecological Report Documents Produced to Date**

The ecological reports that have been submitted and are the subject of this summarisation:

- **Preliminary Ecological Appraisal** (I & G Ecological Cons. Ltd September 2020)
- **Bat Survey Report** (I & G Ecological Cons. Ltd September 2022)
- **Bat Roost Plan** (Plan elevations) September 2020
- **Tree Survey** (RTAC revised October 2021)
- **Dormouse Mitigation Strategy** (I & G Ecological Cons. Ltd September 2020)
- **Margam Bats and Trees Survey** (I & G Ecological Cons. Ltd December 2020)
- **Reptile Survey and Mitigation Report** (I & G Ecological Cons. Ltd July 2022).
- **Grassland Survey & Assessment Report** (I & G Ecological Cons. July 2022)

6.2 **Preliminary Ecological Appraisal**

The PEA survey was undertaken in December 2019. It included a field survey and a desktop study of ecological records within 2km from Aderyn/LERC. The report concludes that a number of habitats are present.

These are:

- ♣ Semi-improved neutral grassland
- ♣ Native hedgerow and treeline
- ♣ Boundary features (stone walls).

These habitats were considered suitable for protected species:

- ♣ Birds
- ♣ Dormice
- ♣ Bats
- ♣ Amphibians
- ♣ Reptiles

Conclusions & Recommendations for the habitats and species:

Semi-improved neutral grassland – retain a proportion of the habitat within the layout of the scheme. Augment remaining with native plug plants/seeding and manage sensitively (cut and remove arisings twice/year)

Native hedgerow and tree-line – some loss may occur as a result of Highway visibility splay. Any loss should be offset by new hedgerow planting with native species of local provenance and better management of the remaining hedgerow/trees. Remaining habitat to be protected during construction with Root Protection Zones.

Boundary features (stone walls) – preferably retain feature undisturbed but any removal/ disturbance to be under Ecological supervision to protect Reptiles, Amphibians, and nesting birds.

Birds – Vegetation clearance (and demolition) should avoid the bird breeding season. Removal of bird habitat will be mitigated in the form of replacement habitat within the landscaping scheme.

Bats – any trees which will require management (e.g., crown lift) will be subject to inspection by competent licensed bat surveyor, followed by survey of tree if found to be suitable.

Bat survey of buildings and trees – see reports.

Dormice – retention of treeline/hedgerow, working methodology to be agreed if habitat removal is necessary. Remaining habitat to be enhanced by interplanting with suitable species.

Amphibians/Reptiles – Reptile Survey is recommended, to inform a Reptile Mitigation Method Statement. The proposed Attenuation Pond will provide opportunities for breeding amphibians. Native planting around the pond area will increase habitat for a range of animals.

6.3 Bat Survey Reports

The bat survey of the buildings was undertaken by I & G Ecological Consultants with Activity Surveys carried out between May and July 2020. **Further updated surveying took place in early August 2022 to recap surveying some two years earlier, and to record the extent of habitat as previously encountered.**

Results show that the original period building is being used by Lesser Horseshoe (R. hipposideros), most likely as a feeding perch, and as a daytime/occasional daytime roost by Pipistrelle species (P. pygmaeus and P. pipistrellus respectively).

It can be considered that this is of moderate low conservation significance as it is a feeding perch for an Annex II species. In relation to such roosts, mitigation should include the provision of new roost facilities where possible.

An EPS derogation licence must be obtained from Natural Resources Wales for the works to be legally undertaken on the original dwelling.

Mitigation for roost loss/damage will take the form of a dedicated roost space:

Recommendation 1: Prior to works commencing, a dedicated roost space is to be created within the detached stone building on site for the species confirmed to be present.

Letterbox access will be provided as well as x 4 wall top gaps, and one in eight crevices are to be retained in the stonework.

Recommendation 2: x 1 Beaumaris (or similar) and x 1 Kent style (or similar) bat box to be affixed internally within the dedicated roost space.

6.4 Tree Survey Report

The tree survey was updated in October 2021 by RTAC to BS5837:2012 standard.

The report recommended that certain perimeter and driveway trees are to be felled to ground level, with some of these requiring stump removals. Only specimens of poor health were recommended for removal.

Remaining works recommended removing epicormic growth from 2 trees (Lime and Sycamore).

Root Protection Areas of remaining trees have been depicted on the Tree Protection Plan & Method Statement which details working methods.

6.5 The Applicants acknowledge that the Tree Survey Report, included in the 2020 planning application, could have been concluded by the Council's Tree Officer to have led to widespread removal of established trees, albeit the vast majority of identified trees were of "C" or "U" classification, and therefore not adjudged to possess landscape or amenity value. Indeed, some specimens were either already dead or diseased and their removal would amount to good arboriculture management.

A revised Tree Survey Report (October 2021) has therefore been prepared. It continues to illustrate that a majority of tree specimens at the site are in a poor condition – falling into Categories C or U. Some are diseased, dying or have endured natural or man-made damage (Allegedly from previous ownership). It has been decided to simply retain more trees for effective natural screening of the development, particularly those specimens off the northern perimeter

facing the A4138 Harbour Way roundabout. Importantly, the trees to the A48 perimeter remain in retention to continue to act as a dense screen to the site interior.

The Appellants have therefore provided as part of this revised ES an updated site layout plan which provides an illustration and proposal of the perimeter trees to be fully retained, the removal of a selected, small number of trees at the access point, where widening improvements are to take place, and; compensatory planting and landscaping proposals around that initial section of access improvements.

The “Landscaping Scheme Plan” (reference 1120/02F) is reproduced as APPENDIX 3 of this revised Environmental Statement.

6.6 Dormouse Mitigation Strategy

The Dormouse Mitigation Strategy was produced by I&G Ecological Consulting Ltd in September 2020, to satisfy mitigation and enhancement requirements of Natural Resources Wales in relation to Dormouse.

The Dormice Mitigation Report is appended to this ES as Appendix 4.

Recommendations for habitat loss:

- ♣ The existing hedge along the southern field boundary of the site will be supplemented with new planting, to fill in gaps and improve foliage cover and connectivity.
- ♣ A section of scrub in the garden area will be retained, and on the western boundary shrubs will also be planted in order to create a vegetated connection between the mature trees along the western boundary and the garden scrub and hedgerows to the south of the dwelling.
- ♣ Native trees to be mostly Hazel, with Hornbeam (or other species which retain their leaves for extended period), supplemented with Honeysuckle/Bramble/Dog Rose. (Full list at Table 1 of Dormouse Mitigation Strategy Report).
- ♣ New and retained habitat to be managed sensitively and success of habitat to be monitored twice in first year and again before year 5 (for tree health and predicted canopy cover).

6.7 Bats and Trees Survey

The Bats and Trees survey was produced by I&G Ecological Consulting in December 2020. At the end of November 2020, I & G Ecological Consulting were commissioned to undertake an appraisal of a small number of trees, predominately situated on the northeast boundary, bordering Margam Road (A48). The land is currently unused but was previously a large garden with specimen trees for a large residence.

No bat roosts or typically used features were found and all trees were thoroughly surveyed using endoscopes, monoculars and thermal imaging cameras thus, no bats will be adversely affected by the proposed development.

The trees surveyed were Ash species, all showed varying degrees of Ash Dieback (*Hymenoscyphus fraxineus*).

The ash trees proximal to the dedicated “bat house” should be sectionally felled and all wood allowed to “rest” for a minimum of 24 hours before removing from site.

A standing deadwood was seen in the north-western end of the site, if possible (within H&S constraints), this should remain as it may be more attractive to bats, birds and invertebrates.

3no. Kent style bat boxes will be erected within trees to the south of the site once works are complete. One open fronted and one “standard / holed” bird box are also to be erected along the western boundary.

Supplementary planting has also been recommended to increase the ecological functionality and resilience of the site.

Ecosystem resilience at the site, along with biodiversity enhancement will be achieved by replacing any felled ash with large (5-year-old plus) saplings of native species and where possible, they should also be locally sourced.

Species that provide food for overwintering birds and mammals should be considered, such as Mountain Ash [Rowan] (*Sorbus aucuparia*), Oak (*Quercus robur*), Hawthorn (*Crataegus monogyna*) as well as Elder (*Sambucus nigra*).

This planting as well as installing bat and bird boxes as outlined above will provide excellent site enhancement and afford greater ecosystem resilience.

Due to the lack of bat interest and the low risk of encountering any bats, the development should proceed as planned, but with due care and vigilance.

6.8 Reptile Survey & Mitigation Report

- 6.8.1 Appendix 6 of this Environmental Statement includes a Reptile Survey and Mitigation Report, which provides a summary of the reptile survey undertaken between May and July 2022 and includes recommendations on any ecological constraints/opportunities associated with development at the site.
- 6.8.2 It recorded that much of the site is comprised of Semi-improved Grassland, which appears to be managed by mowing. Dominant species of grass include Cock's-foot, Creeping Bent, False Oat and Yorkshire Fog with forbs including Meadow Buttercup, Broadleaved plantain, Common Knapweed. Aerial images (Google) show that this part of the field is managed by mowing. The field margins contain species associated with woodland edge and hedgerows including Hedge Woundwort, Herb Robert, Lesser Celandine and Cuckoo Pint, with large patches of Winter Heliotrope (Non-native Invasive) in several locations.
- 6.8.3 The Survey revealed that the site possessed a number of features suitable for reptile habitation. Features include: • Bramble scrub • Tussocky grassland • Occasional litter which may serve as refugia. • Woodland edge.
- 6.8.4 A Direct Observation Survey (DOS), existing refuge survey, and Artificial Refuge Survey (ARS) were carried out during each visit. ARS Standard methodology involved the deployment and subsequent checking of artificial refugia (0.5 x 0.5 m squares of mineral felt roofing material). A total of 40 refugia were deployed on 1st May 2021, within potentially suitable habitat, the majority being around the periphery of the site, set within the grassland/scrub beyond the extent of the bramble encroachment at approximately 3-5m.
- 6.8.5 A total of 10 visits were made during optimal conditions (suitable temperature, dry, with little or no breeze) between the 10th May and 30th June 2022. The only species to be seen during the surveys were Common lizard (*Zootoca vivipara*) a common

toad (*Bufo bufo*), common frog (*Rana temporaria*) and Slow Worm (*Anguis fragilis*) the maximum seen in any one visit being 3 (2 x common lizards and 1 Slow Worm).

No reptiles were seen during any of the Direct Observation Surveys or Existing Refuge Surveys. Using the Survey Counts, the Population Size Class was assessed **as Small (less than 5).**

- 6.8.6 The Report recommends a series of Ecological Enhancements to promote, amongst all biodiversity interests, but specifically reptile management and habitat promotion, as follows:

Post-construction enhancement measures for the site will include:

- ☐ Creation of reptile and amphibian refugia and hibernacula – log, rock and turf pile (See figure below)
- ☐ A buffer zone around the site of unmanaged grassland and suitable amphibian and reptile refugia and hibernacula.
- ☐ Suitable "open" type fencing such as chain-link or close-board but with gap underneath which will allow free-movement of reptiles and other animals between retained habitat and existing adjacent habitat and the wider environs.

6.9 Grassland Survey Report

- 6.9.1 A Grassland Survey and Assessment was conducted over the course of one site visit on 13th July 2022. The survey involved a structured walk (following a "W" route) across the site stopping at regular points to record species and other attributes in an approximate 1 x 1m quadrat.
- 6.9.2 The site survey concluded that overall the site supports **a limited diversity of vascular plants, with 26 species recorded.** The majority of species recorded are **widespread and commonplace**, typical of such habitats. **None are of particular rarity, all of which were listed as having a conservation status of 'least concern' in The Vascular Plant Red Data List for Great Britain.**

6.9.3 It is suggested that species-rich examples are represented by sites with **at least 8 species indicative of unimproved neutral grasslands**. During the survey **two neutral** indicator species were present on site which is **significantly lower than the target of 8 and therefore, based on the results of this survey, the site does not meet the criteria for selection as a wildlife site/SINC**.

7.0 TRAFFIC TRANSPORT AND ACCESS

- 7.1 This chapter of the ES provides a summary of the impacts of the Proposed Development on the surrounding highway network. It is based on an assessment of the interaction between future development related movements and existing patterns of vehicular and pedestrian movements.
- 7.2 This chapter includes a Transport Assessment, prepared by LvW Highways Limited which sets out the existing highway conditions, traffic / trip generation near the site, and likely implications of the proposed traffic use accessing and egressing the site. The Transport Assessment is appended as Appendix 7, whilst a Transport Chapter for the purposes of this Environmental Statement is included as Appendix 7A.

8.0 WATER RESOURCES AND FLOOD RISK

8.1 INTRODUCTION

- 8.1.1 HCE Limited were instructed to prepare a Drainage Strategy Report in respect of the construction of the Proposed Development. The purpose of the report was to describe the existing site and associated drainage infrastructure and to identify a sustainable solution for the proposed foul and surface water drainage to serve the new development. This Report is appended as **Appendix 8** to this ES.

8.2 FLOOD RISK

- 8.2.1 The proposed use of the site for a commercial development will classify the risk as being a 'Less Vulnerable Development' (TAN 15, Figure 2). Review of the Natural Resources Wales Flood and Welsh Government Tan 15 Development Advice Maps shows that the site is located within an area designated being in Flood Zone A.

8.3 EXISTING DRAINAGE AND SITE INVESTIGATIONS

Foul Water Drainage

- 8.3.1 Review of the Dwr Cymru Welsh Water (DCWW) sewer map confirms that a large 450mm diameter vitrified clay combined gravity sewer crosses the site from South to North along the Eastern side of the site.

Surface Water Drainage

- 8.3.2 Geotechnical site investigations were undertaken by HCE Ltd in April 2020 which confirmed that infiltration at shallow depths up to 3.0 metres below site is possible. The test results confirm that the permeability of the underlying strata does vary across site and so soakaways and infiltration devices will be located to maximise infiltration, such that Priority Level 2 (source control) can be realised.

8.4 PROPOSED DRAINAGE STRATEGY AND SUMMARY

- 8.4.1 The site will be served by new separate foul and surface water drainage systems discharging as follows based on existing drainage and site investigations outlined above.

Foul Water Drainage

- 8.4.2 Since the existing building will be refurbished for the proposed change of use the existing building drainage system will be utilised.
- 8.4.3 It is proposed that any storm water connections be disconnected from the drainage system serving the building and be re-directed into the new SUDs drainage system proposed for the new parking areas. This will likely result in a betterment of the existing system and reduce peak flow.

Surface Water Drainage

- 8.4.4 Infiltration testing has confirmed that source control is achievable over the majority of the site.
- 8.4.5 The SUDs management train will be utilised to capture, treat and control surface water run-off prior to infiltration and ground water recharge.
- 8.4.6 The attenuation pond located in the Northeast corner of the site will take any exceedance flow from the filter strip/swale and rainwater gardens serving the eastern parking areas. The pond will provide further treatment of any surface water run-off again improving water quality.

9.0 GEOLOGICAL CONDITIONS

9.1 INTRODUCTION

- 9.1.1 Blandford Consulting were instructed to prepare a Coal Mining Risk Assessment in respect of the construction of the Proposed Development. The CMRA is appended to this ES as **Appendix 9**.

9.2 GEOLOGY OF THE SITE

- 9.2.1 The Site is situated at the southern margins of the former South Wales Coalfield and is underlain at shallow depths by strata assigned to the Middle Coal Measures, which are of Upper Carboniferous age.

- 9.2.2 The Site is not affected by any faulting.

- 9.2.3 The published geological sheet also shows that the Site is not affected by landslip conditions.

There are no recorded mine entries within the confines of the site or within 20m of it, and no records of any nearby disused adits that might have provided access to underground workings that could extend beneath the Site. A search of historic Ordnance Survey Sheets identified that there are no surface mining features in the vicinity of the Site.

- 9.2.4 There are no recorded workings underlying the Site, shallow or otherwise, and The Coal Authority's interactive map shows that there are no 'probable' workings present, i.e., suspected shallow mine workings for which there is no record. There are no active coal mines in the area that could affect the structural integrity of the proposed development and the Site has not been part of an opencast coal site. In so far as the mining heritage of the area is concerned, there is no risk to the proposed development.

10.0 CULTURAL HERITAGE AND ARCHAEOLOGY ASSESSMENT

10.1 INTRODUCTION

10.1.1 This chapter of the ES provides an assessment of the potential for significant impacts associated with the Proposed Development in terms of Cultural Heritage and Archaeology drawing upon information received on from CADW during the 2020 statutory Pre-Application Consultation (PAC) period, prior to this revised application submission. A summary of their advice is found below.

10.2 ADVICE

10.2.1 CADW had **no objections to the impact of the proposed development on the scheduled monuments or registered historic parks and gardens.**

10.3 ASSESSMENT

Scheduled Monuments

- GM163 Hen Eglwys
- GM477 Half Moon Camp
- GM488 Chain Home Low Radar Station, Margam

Registered Parks and Gardens

- PGW (Gm) 52 (NEP) Margam Park (Grade I)

10.3.1 The above scheduled monuments are located inside 600m of the proposed development and will be visible from them.

10.4 LANDSCAPE & VISUAL IMPACT ASSESSMENT

10.4.1 The proposed development will see the former house and annex at Tyn-y-Caeau converted into a café and guest room accommodation with parts of the grounds used as parking for HGVs. The Appellants have discovered evidence which reveals a 2005 planning permission to use the property as a Guest House, with extension to former studio apartments. **The detached former studios have already been completed for such Guest House usage.**

10.4.2 The external changes to the former house and annex will be minor and the main visual change will be the movement and parking of vehicles. They are likely to be seen in the identified significant views from scheduled monuments GM163 and GM477; however, the trees and vegetations surrounding the site will provide extensive screening. **A Landscape & Visual Assessment Report is appended as Appendix 10 of this Environmental Statement.**

10.4.3 The LVIA has set out to establish public vantage points and attribute a scoring mechanism to evaluate the magnitude and significance of that view and appearance of the development site from those vantage points, some of which are regarded as taken from very important and special historic designations, such as Margam Castle and Historic Park and the Wales Coastal Path at Mynydd Margam.

10.5 Cumulative Impacts with Nearby Potential Development

10.5.1 The immediate locality about the application site is dominated by existing industrial premises. Off the western fringe of Longlands Lane lies the BOC Chemical Plant. Alongside, is situated the Western Wood Energy Plant, which is separated by a modest copse of woodland to the Margam Green Energy plant. All three plants are extensive in land take, occupying considerably more land take-up than the site at Tyn-y-Caeau. All three above plants lie in the shadow of the Margam Steelworks as graphically evidenced in the LVIA contained as Appendix 10 of this Statement.

10.5.2 The open fields to the south and part west of Tyn-y-Caeau are allocated within the Neath-Port Talbot Local Development Plan for “Employment” purposes. The site is currently the subject of an application for full planning permission for the “*development of a metal processing facility totalling 28,500sq.m of floorspace comprising a powder processing plant (17,377sq.m), warehouse and store (5,428 sq.m) office building (1,442 sq.m), amenity building (776 sq.m), laboratory (200 sq.m), services building (470 sq.m), substation (107 sq.m), phase 2 (2,700 sq.m), CCTV, storage tanks and plant, parking, servicing and roads and associated works.*” Application P2021/1255 was formally validated on 18th February 2022, and to date remains undermined.

10.5.3 It is notable that the proposals to site a 17,000 square metre warehouse will be sited backing onto the Longlands Lane road frontage, several hundred metres to the south of the common boundary with Tyn-y-Caeau. A new access road is proposed running parallel with the western and part southern boundaries of Tyn-y-Caeau, with areas of surfaced parking lying in those areas over the boundary from the proposed Truck Stop. A detached office block is proposed to the west of Tyn-y-Caeau, separated by further surfaced parking. Those parking areas accordingly provide a buffer between the Tyn-y-Caeau site and new commercial buildings upon that neighbouring site.

10.5.4 The proposals would lead to a further “urbanisation” of this part of Margam and consolidate Tyn-y-Caeau’s position within the commercial core of the locality, with the site surrounded by built-development, and without any new buildings proposed as part of the Truck Stop scheme.

10.5.6 It is noted that the large warehouse will be set at the 11.00 metres AOD ground level, with the proposed building to rise to a height of 16.5 metres. Accordingly, the roof of the new structure will be some 27.5 metres AOD. The proposed warehouse will be therefore **twice the height** of the house at Tyn-y-Caeau.

10.5.7 The proposed office block at Sandvik Osprey’s new development is proposed to be 8.7 metres in overall height, which is to a height in excess of the existing main house

at Tyn-y-Caeau. Accordingly the enveloping of new development about the proposed Truck Stop is such that the proposals for that new transport hub will be **dwarfed in massing and scale in the context of the neighbouring scheme, and very much is the same context as the established Waste Wood Energy and Green Energy Plants act in their current domineering positions west of Tyn-Y-Caeau.**

- 10.5.8 The scheme proposes a swathe of surfaced parking areas set to the other flanks of the established tree-lines and high hedgerows which separate the two sites. The proposals at Tyn-y-Caeau seek to retain and utilise the two existing buildings whilst form HGV parking areas off the southern boundary of the site, being the same boundary shared with the Sandvik Osprey site. Therefore, from higher ground at Mynydd Margam, any member of the public viewing down at both adjoining sites will view an almost continuous area of vehicle parking, only punctuated by the intervening high hedgeow set between ownerships. **The Tyn-y-Caeau development at Margam will accordingly not appear out of visual context against the extensive development proposed at the adjoining site at Margam.**

11.0 HEALTH AND SAFETY

11.1 INTRODUCTION

This chapter of the ES provides an assessment of the potential for significant impacts associated with the Proposed Development in terms of perceived risk from nearby hazardous installations. There are potential concerns by virtue of the Site's proximity to a high-pressure gas pipeline, and BOC chemical plant at Heol Cae'r Bont.

- 11.2 The zones indicate that in the case of the BOC Plant, the two buildings at Tyn-y-Caeau are situated within the middle zone with a slender outer zone being just over a small strip beyond the established yard. The remainder of the site, where the bulk of the proposed HGV parking is to take place, falls outside the consultation zones.

Turning to the proximity of the proposals in relation to the high-pressure pipeline, it is noted that the proposed HGV parking area falls inside the inner zone, whilst buildings fall into the middle zone.

- 11.3 The "*HSE Land Use planning Methodology*," highlights the use of the three zones in evaluating the acceptability of development proposals dependant of their "level of sensitivity." The proposals at Tyn-y-Caeau comprise of more than 10 beds, but less than 100 beds, and therefore fall under **Level 2** in the Decision Matrix.

In the case of both hazardous installation consultation zones, the existing buildings at Tyn-y-Caeau fall into the middle zone. The Decision Matrix indicates that the HSE advise is "**Don't Advise Against Development.**"

- 11.4 The Applicants have commissioned **Silk Services Limited** to prepare a "**Pre-Project Risk Assessment**" of the existing conditions any contractor deployed in construction works on the site to be mindful of during the period of converting the existing buildings to the Truck Stop. The Assessment Report also provides details of the steps and procedures necessary to deal with an emergency / incident caused by failure by one or both of the hazardous installations record near the site. **The Pre-Project Risk Assessment is appended to this ES as Appendix 11.**

12.0 RESIDUAL IMPACT ASSESSMENT AND CONCLUSIONS

12.1 The formal Screening Opinion provided by Planning Inspectorate in January 2021 concluded that the reasoning for requesting an Environmental Statement centred about three principal issues, as summarised below.

12.2 ECOLOGICAL IMPACTS

12.2.1 The Bat Survey has identified minor roosting or opportunistic activity within the buildings. A Bat Roost has been proposed, using a redundant outbuilding off the western perimeter. Proposals for its adaption are provided, with all proposals to seek prior approval under an application for a European Protected Species Licence.

12.2.1 The Preliminary Ecological Assessment has not discovered any nesting, setts or other permanent protected species refugia within the application site. Appropriate mitigation measures are proposed to safeguard perimeter undergrowth and tree canopies to safeguard any potential for dormice habitat, reptiles and nesting birds. A Dormice Mitigation Strategy has since been formulated and presented for assessment. Such approved measures can be regulated through the imposition of pre-commencement conditions on any planning permission.

12.2.2 A subsequent Reptile Survey and Grassland Survey have been undertaken at the site and revealed there to be no reptiles in habitat at the site, with vegetation that is recorded as less than half in diversity interest as classified under national guidelines. In short, the site has no ecological interest other than a small number of individual bats roosting in the main house.

12.3 HIGHWAY IMPACTS

12.3.1 The ES is supported by a Transport Assessment which illustrates that the proposals to reform the existing vehicular access at Ty-y-Caeau are profound. The existing access is proposed to be widened to allow two HGVs to pass in respective access and egress movements. Complete and full visibility splays of 4.5 m x 160 m are

proposed and can be achieved in line with Technical Advice Note 18 “Transport”. The proposed new junction layout has been compiled under guidance set by “Design Manual for Roads and Bridges ‘CD 123 revision 2 Geometric design of at-grade priority and signal-controlled junction”.

- 12.3.1 The access proposals have been examined by both the Local Highway Authority and Welsh Government Trunk Road Agency. The Trunk Road Agency has indicated that they have no objections to the application proposals. The Council’s Local Highways Authority is concerned at egressing driver manoeuvres from the site, and whether it would lead to potential confusion for other drivers and a consequential risk to highway safety. This opinion is disputed, and evidence elaborates upon the effects upon highway safety upon the A48 and conclude that the proposals meet both National and Local Highway standards and guidance.

12.4 POTENTIAL FOR RISKS TO HEALTH & SAFETY

- 12.4.1 The development site is crossed by a high-pressure gas pipeline, running parallel with the site’s frontage with the A48 road. Furthermore, the site is located with a consultation zone imposed by the Health & Safety Executive, being in proximity to the BOC plant at Margam.
- 12.4.2 This ES has examined the national advice provided by the Health & Safety Executive in their published Planning Land Use Methodology. The Guidance provides specific criteria for development types which can be transposed into the three consultation zones identified for each hazardous installation. In the case of the application proposals at Tyn-y-Caeau, the existing buildings lie within middle zones of each consultation zone, and their development type is such that the HSE guidance indicates that the HSE “does not advise against development.” Consequently, the development users will not be posed to adverse risks as a result of proximity to the nearby hazardous installations. The effect on people and property in proximity to the hazardous installations **will be no different** as a result of the proposals than when the Guest House would be completed and trading.

12.4.3 The Applicants have commissioned Silk Service Limited to prepare a “Pre-Project Risk Assessment” which has been able to advise on best practice to minimise, if not eliminate risks, should a nearby hazardous installation fail and lead to an emergency incident. Evacuation procedures can be put in place to provide mitigation and safeguard staff, guests and visitors to the proposed Truck Stop.

12.4.4 The proximity of the site to historic mine workings in the locality has also been examined due to the site being located in a High Development Risk Area, as defined by The Coal Authority. A Coal Mining Risk Assessment has been undertaken which pinpoints seams of underlying coal deposits but concludes with certainty that the depth and extent of those coal deposits are such as to not pose any risks to the use of the existing buildings and immediate grounds for a Truck Stop.

12.5 CONCLUSIONS

12.5.1 This Environmental Statement has been compiled under the Town & Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The structure and content form of this Statement has followed guidance provided in Regulation 17 and Schedule 4 of the EIA Regulations.

12.5.2 The conclusions of this ES are that the site at Tyn-y-Caeau in Margam, near Port Talbot does not pose any potential risks to matters of ecological importance, given the minor effects upon any semblance of protected species on and near the site. Furthermore, the site is not located near any international, national nor local site of ecological or scientific importance.

12.5.3 The proposals do not pose any risks to highway safety given that the vehicular and pedestrian access proposal meet the national standards imposed by Manual for Streets and TAN18. Vehicles can safely access and egress the site with regards to drivers’ own safety and those of other roads users.

12.5.4 Finally, the proposals to convert two existing buildings to overnight guest accommodation received planning permission in 2005. The physical circumstances of the application site, and immediate surroundings have not changed or altered since that time. The ancillary works to enable a safe access, efficient and ample off-road parking and protection of boundary features, and accordingly all matters of environmental importance can be safeguarded in the context of the current scheme as they were in 2005.