



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

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 – Revision C
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 This Environmental Statement originally formed part of an Appeal to Planning Inspectorate for a similar scheme at this site, which followed the refusal of planning permission in October 2020. The Planning Inspectorate issued a screening direction under that Appeal requiring the submission of an Environmental Statement made under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. That ES was formally submitted in February 2021. The Planning Inspectorate responded to that ES by providing an “Assessment of Environmental Statement” which was received by the Applicants in May 2021. Annex 1 of that Assessment provides a checklist of matters which the appointed Inspector considered requires clarification and further explanation and assessment. A revised Environmental Statement was formally submitted on 15th October 2021, aiming to respond to the matters itemised in that Assessment. A further “Assessment of Environmental Statement” which was received by the Appellants on 7th December 2021. It provided a further Annex 1 of matters which still required attention and clarification to enable the ES to be adjudged complete, and for that Appeal to be formally continued and to reach a formal decision. The Appeal was formally withdrawn in August 2022, with the Applicants deciding to pursue a new application for planning permission at the site.

- 1.3 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.
- 1.4 Since the receipt of the Inspector’s initial Assessment, the Applicants carried out investigations of the planning history of the Tyn-y-Caeau site. Such investigations were not possible prior to the initial preparation of the ES, and indeed application for planning permission which led to a refusal in October 2020 and subsequent Appeal. Those investigations subsequently revealed that 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. Unfortunately, the Local Planning Authority have not been able to retrieve these records, nor able to refer to a full set of approved plans in respect of this application.

However, it has emerged that the Council’s Building Control Section 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. The works that had taken place involved the construction of a first-floor extension addition to a previously single-storey flat roofed building used as studio apartments. The development completed in October 2006 formed part of proposals granted under Planning Permission P/05/0449. It should be noted that those works took place within the first five years from the date of that permission, and hence were in compliance with Condition 1 of that permission (time period).

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.

- 1.5 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.

- 1.6 A reapplication for planning permission was submitted before the Local Planning Authority in October 2021. During consideration of formal validation, the Authority indicated that any reapplication be accompanied by an Environmental Statement, in the same manner as that sought under direction by the Planning Inspectorate. This reapplication is now put forward for formal consideration with this revised ES.

- 1.7 **This revised ES will therefore now take a position that the site at Tyn-y-Caeau had planning permission to be used as a Guest House, meaning that there have been no material changes in circumstances to warrant a re-examination of the use of the two buildings on the site for that commercial letting purpose. The formation of a Truck Stop is merely a proposal to provide enhanced parking facilities for HGVs, associated drainage with improved vehicular access onto the A48 road, together with bat mitigation measures, to serve that Guest House.**
- 1.8 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).
- 1.9 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. The industrial estate spine road to that nearby development passes north-west of Tyn-y-Caeau, with a turning head formed, separated from this site's perimeter by a swath of unkempt bramble and shrub.

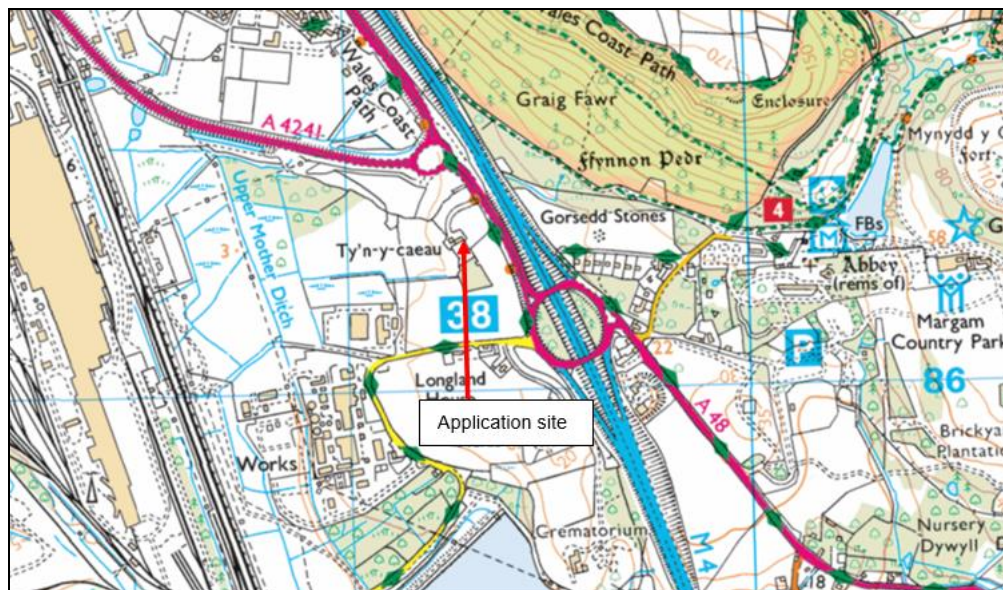


Figure 1 – Ordnance Survey Explorer Map Extract



Figure 2 – Google Earth Image (June 2020)

- 1.10 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. The aim is to allow the understanding of the

possible and likely environmental impacts associated with the proposed development and which mitigation methods have been used to address these impacts.

1.11 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.

1.12 THE APPLICANTS

Recycling Plant and Machinery Limited are a versatile group offering a diverse range of services to the commercial and industrial sectors within the UK. Since their inception nearly 12 years ago, drawing from their highly experienced teams' collective knowledge they have vastly expanded their range of services. They support many local and national organisations, local authorities, blue-chip and PLC's catering for a diverse range of waste management requirements and transport haulage.

1.13 POLICY CONTEXT AND METHODOLOGY

An assessment of the development in the context of the planning policy framework of the local, regional and national level is set out within the Planning Design and Access Statement which also accompanies the planning application to Neath-Port Talbot County Borough Council. A previous application was refused permission in October 2020 and proceeded to an Appeal before the Welsh Ministers. It is during the course of that Appeal that the application underwent further screening under the EIA Regulations. It was formally resolved that an ES is required under those Regulations, and under this reapplication the Local Planning Authority have adopted the same screening opinion for an Environmental Statement to be prepared.

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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
- PAC 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

1.14 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

1.15 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

2.1.1 This chapter of the Environmental Statement (ES) sets out the overall approach to the Environmental Impact Assessment (EIA) undertaken by the project team and, in particular details of the statutory requirements for EIA, the definition of significance within the context of the EIA Regulations, and the method of assessing environmental and social impacts arising as a result of the Proposed Development.

2.2 APPROACH

2.2.1 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*)

2.3 ENVIRONMENTAL STATEMENT REQUIREMENTS

2.3.1 Applications for development that are covered by the EIA Regulations are termed 'EIA applications' or 'EIA Developments.' Screening of developments to identify whether an EIA is necessary is based on the likelihood of significant impacts arising from the project.

2.3.2 EIA applications are divided into Schedule 1 and Schedule 2 applications. Schedule 1 developments are developments that are likely to have significant environmental impacts, such as major chemical or petrochemical plants and construction of ground or air transportation facilities. Schedule 2 development include all other developments where there it is determined there is a need for an EIA.

2.3.3 It was considered by the Planning Inspectorate, and now the Local Planning Authority, that the Proposed Development falls within Section 10(b) of Schedule 2, namely: "(p) Motorway Service Areas"

2.3.4 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”

2.3.5 The Screening Assessment conducted by the Planning inspectorate in January 2021 is reproduced below:

STAGE 1 – INITIAL EIA SCREENING ASSESSMENT

1 Case Details	
A	Appeal case reference 3263628
B	Brief description of development 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.
2 EIA Screening Details	
2A Schedule 1	
	Is the project Schedule 1 development as described in Schedule 1 of the EIA Regulations? No
	If Yes, under which description of development? If No, consider whether project is 'Schedule 2' development below in part 2(B).
2B Schedule 2	
	Is the project listed as a description of development under Column 1 of Schedule 2 of the EIA Regulations? Yes
(i)	If Yes, under which description of development? If No, EIA is not required. 10(p)
(ii)	Does the project change or extend development described in paragraphs 1 to 12 of Column 1 of schedule 2, where the change or extension may have SIGNIFICANT* adverse effects on the environment? No If Yes, provide reasons for your answer below. *If unsure, discuss with PET. Proceed to point (iii). Choose an item.
(iii)	Is the project located wholly or partly within a 'Sensitive Area' as defined by Regulation 2 of the EIA Regulations? No If Yes, state which area and more to Question 3. If No, proceed to point (iv) below.
(iv)	Are the applicable thresholds/criteria in Column 2 exceeded / met? Yes If Yes, note which applicable threshold/criteria. If No, EIA is not required. Size is 1.3 hectares
3 LPA / Welsh Ministers' Screening	

(i)	Has the LPA issued a Screening Opinion (SO)?	No
(ii)	Have the Welsh Ministers issued a Screening Direction (SD)?	No
4	Environmental Statement (ES)	
	Has the applicant/appellant supplied an ES for the current or previous (if reserved matters or conditions) application?	No

Is a detailed screening assessment (Section 5) required?

If **Yes** has been answered in response to either 2B(iii) or 2B(iv), send to relevant team to undertake detailed screening assessment.

If **No** has been answered for both questions, or the questions are not applicable, start appeal.

Sign-off	
Signature	
Date	11/12/2020

STAGE 2 – DETAILED EIA SCREENING ASSESSMENT

As per Schedule 3, Para 3: When considering the potential impact, take into account; (a) magnitude / spatial extent / population likely to be affected; (b) nature of impact; (c) transboundary nature; (d) intensity & complexity; (e) probability; (f) expected onset / duration / frequency & reversibility; (g) cumulation with existing and / or approved development; (h) the possibility of effectively reducing the impact.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant? <i>Include consideration of features or measures to avoid or prevent what might otherwise be significant effects</i>
CRITERION 1. CHARACTERISTICS OF DEVELOPMENT		
Question 1(a) Size and design of the Development		
Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in	Yes, change in use of the 1.3 ha site.	Unlikely significant effect.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
the locality (topography, land use, changes in waterbodies, etc.)?		
Question 1(b) Cumulation with Existing and/or Approved Development		
Are there any other factors which should be considered such as: • consequential development which could lead to environmental effects? • the potential for cumulative impacts with other existing or planned activities in the locality? • any plans for future land uses on or around the location which could be affected by the project? • transfrontier impacts?	No	
Question 1(c) Use of Natural Resources, in particular land, soil, water and biodiversity		
Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Construction and operation would consume some resources, but due to scale and nature of the proposal, the scale and type of resource use should not be significant.	Unlikely significant effect.
Question 1(d) Production of Waste		
Will the Project produce solid wastes during construction or operation or decommissioning?	Construction, operation and decommissioning would consume some resources, but due to scale and nature of the proposal, the scale and type waste produced should not be significant.	Unlikely significant effect.
Question 1(e) Pollution and Nuisances		
Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	No	

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Construction, operation and decommissioning would cause noise and release light. Due to the scale and nature of the proposal, the noise and light emitted should not be significant.	Unlikely significant effect.
Will the Project release pollutants or any hazardous, toxic or noxious substances to air, or lead to risks of contamination of land or water (including surface waters, groundwater, coastal waters or the sea)?	No	
Question 1(f) Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge		
Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?	Yes. HSE have advised that as there is a major hazard pipeline running through the area, and there is also a hazardous installation to the south west. This would constitute a risk to people at the proposed development in the event of an accident.	Likely significant effect.
Question 1(g) Risks to Human Health (for example due to water contamination or air pollution)		
Will there be any risk to human health during the construction and/or operation of the development	No	
CRITERION 2. LOCATION OF DEVELOPMENT		
Question 2(a) Existing and Approved Land Use		
Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?	No	
Are there any routes or facilities on or around the location, which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes – the LPA identify that the Wales Coastal Path runs along the front of the application site. However, they consider any impacts can be controlled.	Unlikely significant effect.
Are there any transport routes which are susceptible to congestion or which cause	Yes. The Council's Highways department has raised serious concerns relating to highway	Likely significant effect.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
environmental problems, which could be affected by the project?	safety, pointing out that the proposed parking spaces do not meet relevant standard, and that the swept path analysis provided by the applicant shows that HGVs leaving the site would oversail the 2 nd carriageway of the A48. The site's proximity to a major roundabout has the potential to disrupt traffic flow.	
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No	
Are there any areas on or around the location occupied by land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	No	
Question 2(b) Relative Abundance, Availability Quality and Regenerative Capacity of Natural Resources in the Area and its Underground		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	No	
Question 2(c) Absorption Capacity of the Natural Environment		
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, or are used by protected, important or sensitive species of fauna or flora, which could be affected by the project?	The appeal is not supported by sufficient evidence to rule out significant effects on protected species. The LPA has raised concerns over the bat survey which was provided during the course of the application, and over the lack of evidence in relation to reptiles. There is also a lack of evidence relating to the habitat present on	Likely significant effect.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
	site. In the absence of evidence as highlighted by the LPA and NRW, I consider that the development would be likely to have negative impacts on sensitive biodiversity receptors.	
Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No	
Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	No	
Is the project in a location where it is likely to be highly visible to many people?	No	
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	No	
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	No	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No	
Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	No; while the development is in Development High Risk Area (as confirmed by the Coal Authority), the submitted Coal Mining Risk Report indicates that there are no likely concerns in that regard. The Coal Authority does not have a different view.	

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects likely to be significant?
Has there already been a failure to meet environmental quality standards that is relevant to the project?	No	

Statement of reasons – insert into Screening Direction

I note that the Local Planning Authority screened this development under paragraph 10(b) of schedule 2 to the EIA Regulations, and found that it did not require detailed screening as the development area was less than 1 ha. However, I consider that this should be screened under paragraph 10(p) – Motorway Service Areas as the development proposed is a truck stop. The relevant threshold for this category is 0.5 ha. I have therefore proceeded with detailed screening on that basis.

The development is likely to have significant effects in regard to transport, due to its location and a failure to incorporate the correct design standards to minimise the risk of traffic collision. The proposal is not supported by sufficient evidence to rule out significant environmental effects in relation to ecology, and protected species which may be present on site. In addition, the presence of major hazards in the area means that the development could constitute a risk of harm to people using it. I therefore consider that the development is likely to have significant effects on the environment.

6	Outcome of assessment	
(ii) If a SO/SD has been provided do you agree with it?		N/A
(iii) Is EIA required?		Yes
Outcome	Action	
Schedule 2 development – threshold exceeded/ criterion met or Sensitive Area and likely to have significant effects	Issue direction stating EIA Required	✓
Name and Job Title of Assessor		
Date of Assessment	12 January 2021	

2.3.6 As a result, 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

- 3.1.1 This chapter of the ES describes the background to the Proposed Development in particular the existing site conditions, considerations and constraints influencing the development.

3.2 THE DEVELOPMENT BRIEF

- 3.2.1 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 Retention and Completion of works to form a Guest House (By virtue of Planning Permission P2005/0449) 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.”*

3.3 DESCRIPTION OF THE SITE AND SURROUNDING AREA

- 3.3.1 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.
- 3.3.2 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.

- 3.3.3 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.
- 3.3.4 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.
- 3.3.5 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.
- 3.3.6 Photographs 1-5 below provide illustrations of the existing arrangements at Tyn-y-Caeau, and specifically the existing access off the A48, and the open expanse of pasture to the foreground of the house.



Photograph 1 – Existing Buildings at Tyn-y-Caeau



Photograph 2 – Side Elevation of Existing House



Photograph 3 – Existing Detached Two-Storey Annexe extended in 2006



Photograph 4 – View from A48 Carriageway to Existing Site Access Gates



Photograph 5 – Existing Access Gates

3.4 SITE PLANNING HISTORY

3.4.1 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

3.4.2 As stated in paragraph 1.4 above, it has since come to the knowledge of the Appellants that works undertake 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.

3.5 CONSIDERATIONS AND CONSTRAINTS

3.5.1 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

3.5.2 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.

3.6 ALTERNATIVES

'NO DEVELOPMENT' ALTERNATIVE

3.6.1 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

- 3.6.2 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.

3.6.3 *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). Figure 4 below shows the location of the alternative site which is immediately adjacent to the application site:



Figure 4 – Location of Alternative Site (identified by red arrow) adjacent to Application Site (identified by yellow arrow)

3.6.3 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.

3.6.4 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 INTRODUCTION

- 4.1.1 This chapter of the ES describes the Proposed Development, with reference to the full planning application and supporting drawings.

4.2 DESIGN CONCEPT

- 4.2.1 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. Figure 4 below illustrates the current floor arrangement at Tyn-y-Caeau and multiple rooms within the house. Figure 5 illustrates a scheme 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 as shown in Figures 6 and 7, with the only alterations being internal sub-division of rooms to create en-suite bathrooms.

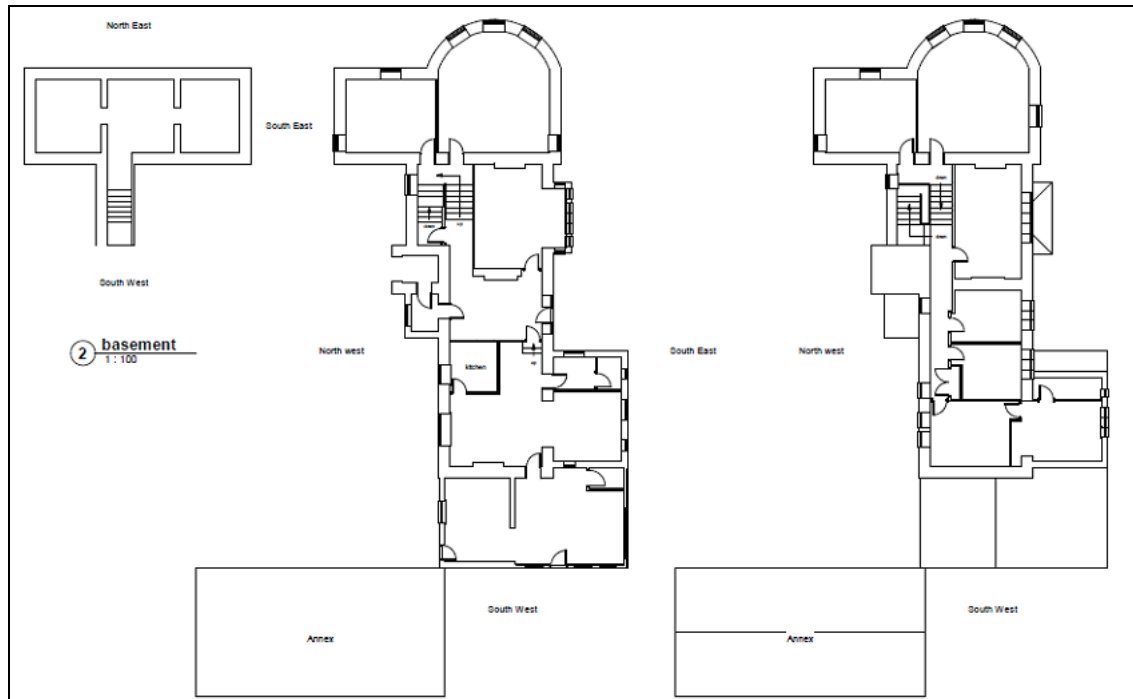


Figure 4 – Existing Floor Plans of House

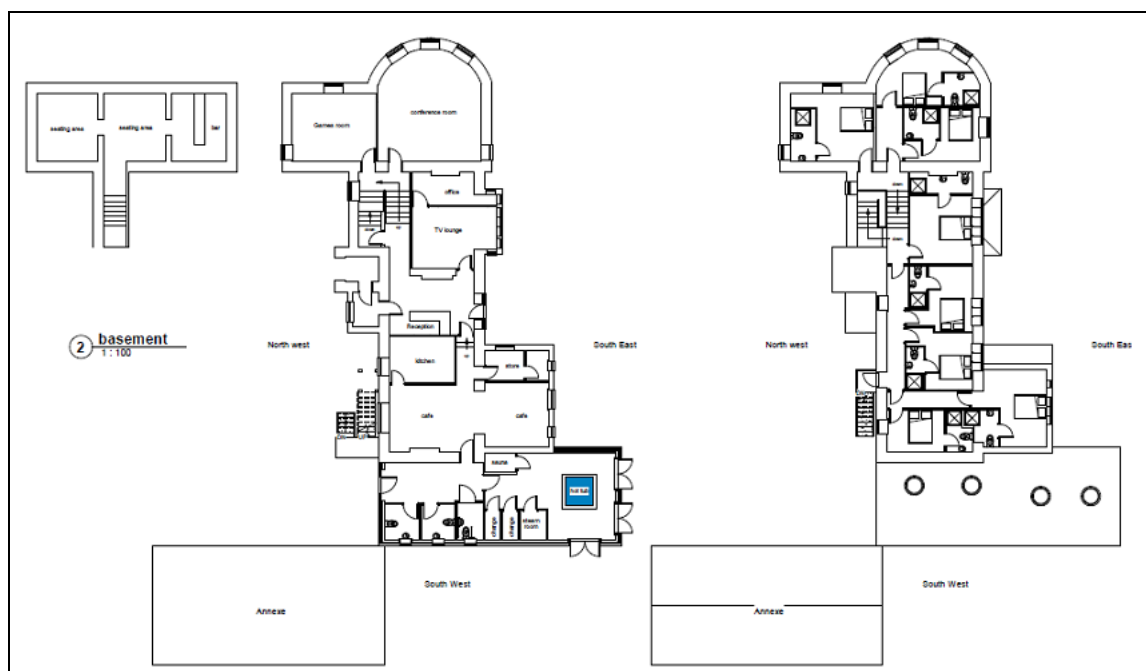


Figure 5 – Proposed Floor Plans of Guest Rooms, Café and Ancillary Spa



Figure 6 – Existing Annexe Floor Plans



Figure 7 – Proposed Annexe Floor Plans

- 4.2.2 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.
- 4.2.3 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.

4.2.4 Appropriate sustainable drainage measures are proposed to ensure pollution control of ground waters and the effective disposal of surface water. Figure 8 below provides an extract of the site layout plan.



Figure 8 – Proposed Site Layout of the Truck Stop

4.2.5 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.

4.2.6 Port Talbot is dependent on a whole range of employment uses, needing 24/7 access to the M4, and the facility at Margam 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.

4.2.7 The Applicants have liaised with the “**Freight Transport Association**” and the “**Welsh Freight Council**” who both highlight the need in South Wales to promote satisfactory overnight facilities for Freight drivers. The site is an example location, with easy access of the M4 and sufficient space to provide facilities in an existing residential property.

4.3 **SCALE**

4.3.1 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 to the side elevation as shown in Figures 9 and 10 below.



Figure 9a – Proposed unaltered scale of existing property, now proposed as a guest house with café and spa facilities

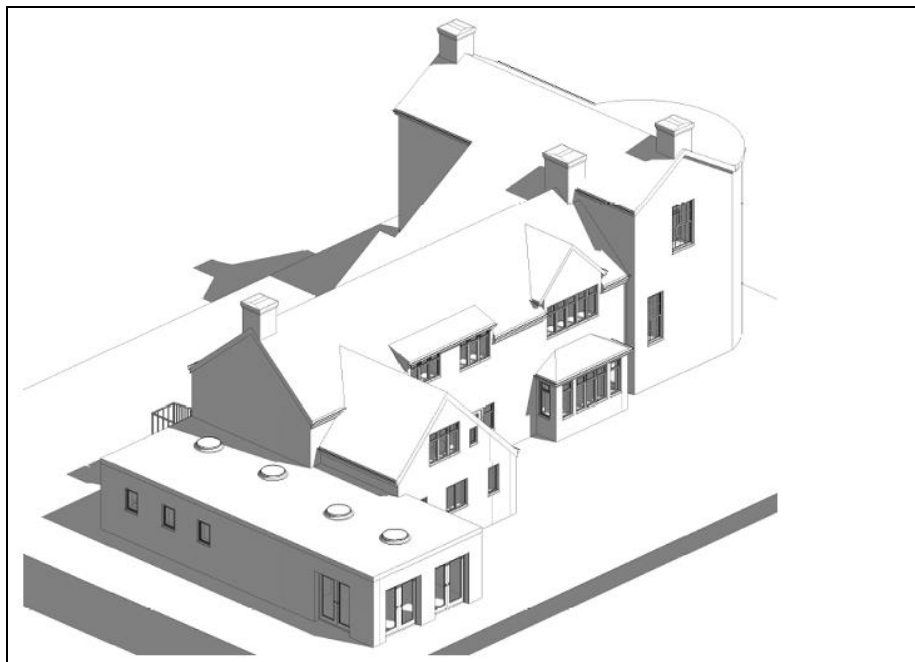


Figure 9b – Proposed rear elevation with replacement single-storey addition

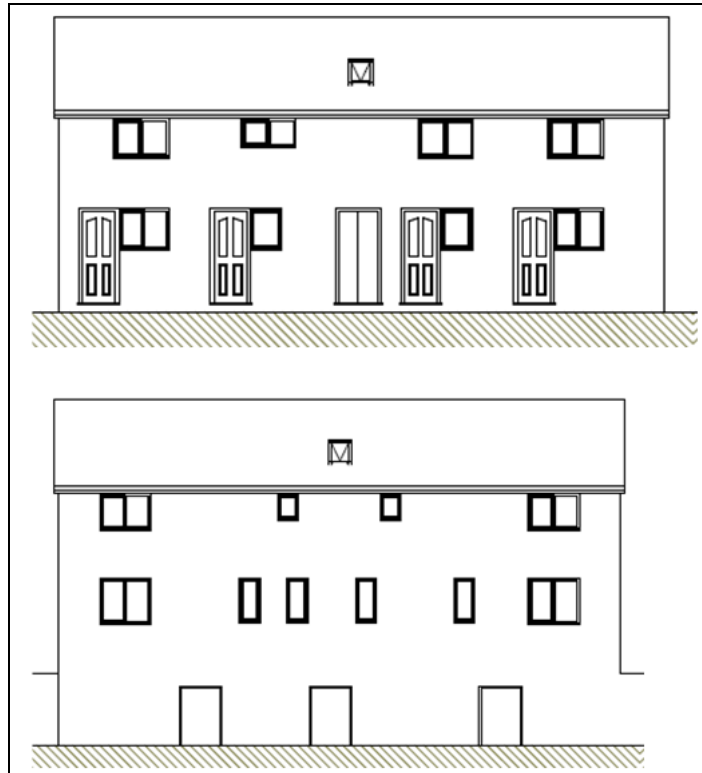


Figure 10 – Existing Scale of Detached Annexe to Remain Unchanged

4.4 LAYOUT OF DEVELOPMENT

- 4.4.1 The proposals as displayed 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.

- 4.4.2 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.
- 4.4.3 The proposals also allow the existing car parking spaces to be retained in their current position set off main former house and annexe buildings. The application proposals are also accompanied by extensive drainage measures to dispose of surface water by sustainable means. Percolation testing has revealed good infiltration results on site, with an attenuation basin introduced to act in storm conditions and also for biodiversity gain following the removal of parts of the semi-improved grassland. The drainage measures have largely dictated the site layout as has the need to respect tree integrity, as shown in Figure 11 below, which is a reproduction of the Tree Protection Plan, from the submitted Tree Survey.
- 4.4.4 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 Tyn-y-Caeau are already at such a decayed state. Nevertheless, new landscaping can seek to replicate specimens and introduce planting where necessary.

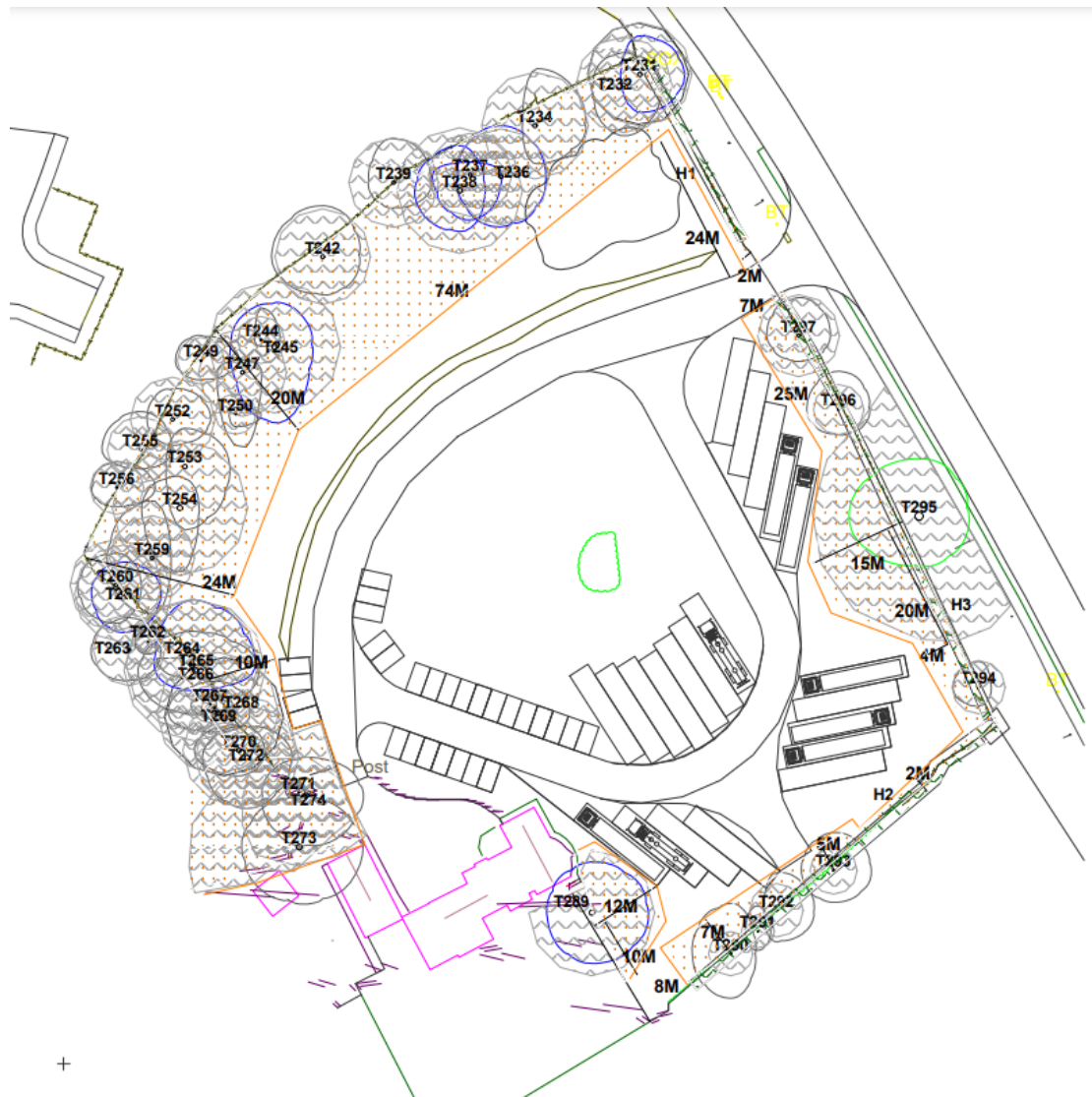


Figure 11 – Tree Plan illustrating temporary protective fencing about designated root protection zones during construction

4.5 APPEARANCE

- 4.5.1 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.

4.5.2 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.

4.6 **LANDSCAPE DESIGN**

4.6.1 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.

4.6.2 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.

4.6.3 The proposals also illustrate for additional planting within the grounds of the site, specifically along the inner course of the widened internal driveway.

4.7 DETAILS OF CONSTRUCTION PHASE

4.7.1 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 12:

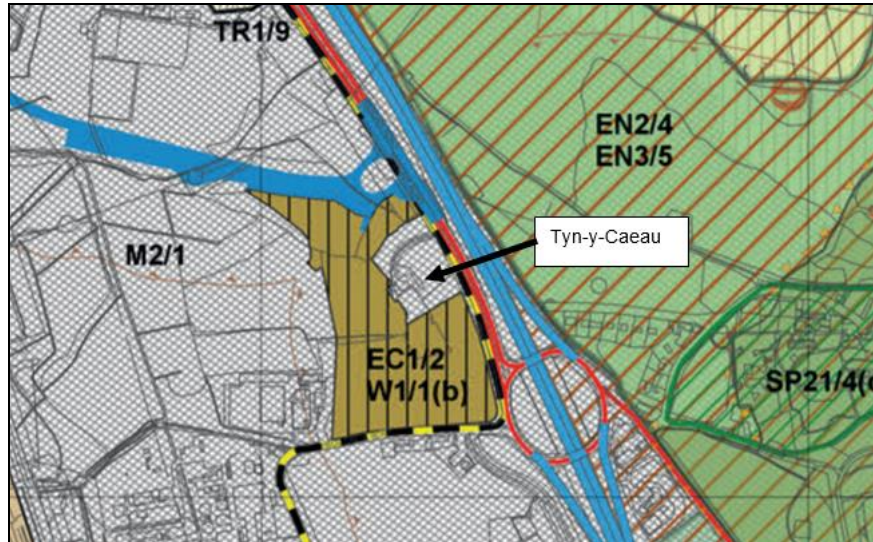


Figure 12 – Extract from LDP Proposals Map

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.**

5.2.6 It is noted that the LDP does not contain any direct planning policies or proposals for transport-related schemes aiming to provide for “service areas” or “roadside facilities.” Instead, LDP Policy TR2 covers all development proposals to pay regard to the need to safely access the highway network, and states that:

Policy TR2 - Design and Access of New Development

Development proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

- 1. The development does not compromise the safe, effective and efficient use of the highway network and does not have an adverse impact on highway safety or create unacceptable levels of traffic generation;*
- 2. Appropriate levels of parking and cycling facilities are provided and the access arrangements for the site allow for the safe manoeuvring of any service vehicles associated with the planned use;*
- 3. The development is accessible by a range of travel means, including public transport and safe cycle and pedestrian routes;*
- 4. Transport Assessments and Travel Plans are provided for developments that are likely to create significant traffic generation*

5.2.7 Policy BE1 “Design” is a generic development control policy, applying to all development proposals, and requires proposals to respect the character and setting of the immediate and wider locality.

6.0 ECOLOGICAL ASSESSMENT

6.1 INTRODUCTION

6.1.1 This chapter of the ES presents an assessment of the potential impacts on ecology and nature conservation associated with the proposed development. It provides a review of the baseline assessment, including field studies and surveys as well as detailing any mitigation or enhancement measures.

6.1.2 The Assessment of the revised Environmental Statement (December 2021) concluded that the following matters be given greater clarification and assessment within the ES:

1) The status of the Bat Survey Report provided as Appendix 2A should be clarified and the date of approval (if approved) confirmed.

2) The ES should include systematic and objective analysis to determine presence/absence of reptiles and estimation of population sizes, an impact assessment of the likely significant effects of the development on these species during construction and operation, and the proposed mitigation strategy where necessary. The assessment should describe the methodologies used to obtain and verify information and any difficulties encountered in compiling the relevant information.

3) The ES should include further assessment of the value of the semi-improved neutral grassland habitat, the likely significant effects of the development during construction and operation, and the measures for mitigation where relevant. The assessment should describe the methodologies used to obtain and verify information, and any difficulties encountered in compiling the relevant information.

6.1.3 An Ecological Report was prepared by I&G Ecological Consulting following their surveying of the site as part of conducting a Preliminary Ecological Assessment on 20th January 2020. On 30th May 2020, I&G Ecological Consulting Ltd undertook a daytime bat scoping survey of the buildings at the property. As a result of the findings dusk surveys were undertaken on the 30th of May and the 13th of June 2020 and a dawn survey was undertaken on the 27th of June 2020. The weather conditions

present at the site were conducive to bat activity and access was available to all parts of the site; their findings are provided below. A further assessment for bat activity and potential roosting of the perimeter trees at Tyn-y-Caeau, especially those specimens proposed for removal as part of the access widening scheme was undertaken in November 2020.

6.1.4 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)

6.2 **POTENTIAL FOR PROTECTED SPECIES HABITATS**

I&G Ecological Consulting have examined the Inspector's "Assessment of Environmental Statement" (May 2021) and have compiled an "Ecological Survey & Mitigation Summary" which is reproduced within this Section of the revised ES. It has absorbed all the previous ecological survey findings and reports and provides this ES will an update on all matters raised by the Council's Planning Ecologist and Natural Resources Wales.

6.2.1 **Ecological Report Documents Produced to Date**

Below is a list of 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)

6.3 **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 report below.

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.

6.4 Bat Survey Reports

The bat survey of the buildings was undertaken by I & G Ecological Consultants Ltd with Activity Surveys carried out between 30th May 2020 and 27th June, and Remote Recording 26th June and 7th 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.

The Annexe and the Stone Outbuilding at the property presently have only low to moderate potential to support bats and bats are not currently using these buildings. It is therefore considered that proposed development (of these buildings) will not have a negative impact upon the bat species using the area.

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.

6.5 Bat Roost Plan (Plan elevations)

In response to the Bat Survey Report findings and recommendations, a Bat Roost Plan has been prepared depicting the conversion of the existing outbuilding to

incorporate bat roost features including a Bat Box and galvanized steel frame and doors with purpose cut entry/exit slots.

6.6 Tree Survey Report

The tree survey was updated in October 2021 by RTAC to BS5837:2012 standard, with the original report prepared in March 2020.

Trees were measured and tagged, age class and quality of each tree was categorised (estimated remaining life expectancy) and recommendations for tree care given.

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;

Trees to be protected by Heras Fencing as per Tree Protection Plan before construction commences, the area within the fencing being marked as a Construction Exclusion Zone (therefore no vehicle access, no fires, site huts etc (see 5.3.5 for full list.)

- 6.7 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.

6.8 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.

Precautionary Construction methods require works to trees/hedgerows/scrub to be undertaken between during late summer/early Autumn, to be still in the Dormouse Active Season but avoiding Bird Breeding Season. Site lighting to be directed away from treelines /hedgerows or dense scrub.

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).

6.9 Bats and Trees Survey

The Bats and Trees survey was produced by I&G Ecological Consulting Ltd 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 where Ash species, all showed varying degrees of Ash Dieback (*Hymenoscyphus fraxineus*).

The ash trees proximal to the proposed 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.

6.10 ECOLOGICAL SURVEY METHODOLOGY

Both a desk-based survey and ecological site survey were undertaken to establish the ecological conditions on site.

6.10.1 A 2km search area is used which covers the predicted zone of influence of the proposed development. Where bats are found to be present, any sites within 10km which are designated for their bat interest will also be noted. The reasons for the site designations have also been considered when discussing potential impacts on the biodiversity of these sites. Multi-Agency Geographic Information for the Countryside (MAGIC) and Lle are both used to establish the proximity of National and International Statutory Designations, particularly in relation to designations for bat interest. Species searches are also conducted through the Local Records Centre (LRC) where appropriate. An online search of planning applications at the property is undertaken to understand its planning history, especially relating to bats

6.10.2 A field botanical survey was carried out using survey methods that were based on standard Phase 1 Habitat survey techniques. The CIEEM Guidelines for Preliminary Ecological Appraisal were also followed and adhered to.

A Preliminary Roost Assessment (PRA) was undertaken on the 30th of May 2020 (following government guidelines in relation to the COVID-19 pandemic). to identify Potential Roost Features (PRF). The survey was led by Glyn Lloyd-Jones.

6.10.2 As a result of the findings of the PRA and the limitation identified, two dusk emergence surveys and one dawn re-entry survey were undertaken. The first dusk survey was undertaken on the 30th of May 2020 and the surveyors were Glyn Lloyd-Jones, Iestyn Evans, Pete Watts, Jody Evans, Ceri Daugherty, Greg Evans, Mike Jones, and Sharon Doherty. Sunset was at 21:21, the survey started at 21:05 and ended at 23:20. The weather remained dry through the survey with little to no cloud cover, humidity was 40%, there was no wind, and the temperature started at 21.4C and ended at 19.6C.

6.10.3 The second dusk survey was undertaken on 13th June 2020 and the surveyors remained as for the first dusk survey. Sunset was at 21:33, the survey started at 21:20 and ended at 23:35. The weather remained dry throughout with 75% cloud cover, humidity was 85%, there was a light north-westerly breeze of 1mph, and the temperature remained relatively constant at between 15.5C and 15.6C.

6.10.4 The dawn survey was undertaken on 27th June 2020, and the surveyors remained as for the previous surveys. Sunrise was at 04:59, the survey started at 03:30 and ended at 05:10. The weather remained dry throughout with approximately 80% cloud cover, humidity was 90%, there was a light southerly wind of 3–4mph, and the temperature started at 16.2C and ended at 15.5C

6.10.5 Figure 13 shows the position of surveyors during the surveys. Those in yellow are the positions on the first dusk and the dawn activity surveys while those in red are the second dusk survey when the focus was on the original house and the outbuilding (as the proposed mitigation in blue circle). Each surveyor had a Magenta 5 or an Elekon Batscanner bat detector to assist in identification and detection of bats and their behaviour. The location of the Anabat is indicated by a red star.



Figure 13 – Surveyor Positions During the Activity Surveys

6.11 Bat Survey Conclusions & Recommendations

6.11.1 The original period dwelling is a large north-west facing predominantly two storey detached building which is subject to proposed plans for conversion to a mixed (residential and commercial) development. It is constructed of rendered and painted walls and has natural slate roofs with lead flashing around the chimneys. The walls of the original house are intact and generally in good condition with only some small (non-exploitable) cracks while the timber soffits/facias/weatherboards are predominantly tight to the walls with only a small number of potentially exploitable gaps. The roof slates themselves are predominantly in good condition with no missing or damaged slates, but there were one or two areas where they may have slipped, thus creating potentially exploitable gaps, and there is also some loose lead flashing around the chimney pot to the left of the front elevation. The timber/uPVC framed windows and doors are generally intact (the rear door having been boarded up after being vandalised leading to the house being open) with only one pane of glass in the original timber framed windows to the front having slipped. The detached northeast facing two storey (with subterranean rooms to the rear so this aspect is three storey) annexe is constructed of smooth rendered walls with a slate roof, brown uPVC

framed windows and doors, and brown uPVC soffits/fascias/weatherboards and rainwater goods. The building is in very good condition with no observable exploitable gaps and no damage to either the walls or roof. The detached stone outbuilding has an unlined slate roof which is in very good condition but there are gaps at the walls top as well as other aperture in the stonework. Internally, the large windows of the original house allow a lot of light internally; thus, reducing the potential for day roosting in these areas while the loft spaces at the property have many undisturbed cobwebs, a lot of dust, and some signs of rodent use.

6.11.2 The Anabat was in working order throughout the time it was deployed and this was confirmed by the Anabat log files. The machine was triggered by only one species of bat, the Lesser horseshoe. All calls occurred between 21:00 and 05:00 and the highest number of passes was nine, recorded between 22:00 and 23:00 on the 5th of July. No bat calls were recorded during the daytime hours.

Figure 14 shows the flight lines of bats detected and includes the species seen/detected and the times they were detected. Flight activity follows:

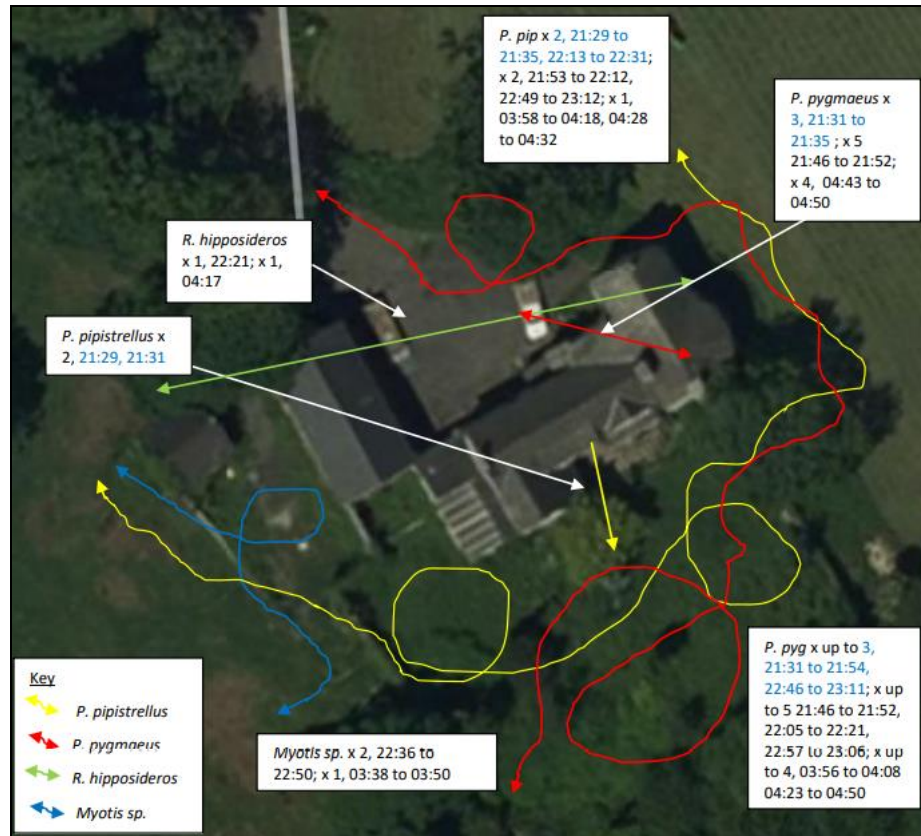


Figure 14

- P. pipistrellus:** On the first dusk survey, two bats were seen to leave an area to the rear of the original dwelling (SE) where the roof steps down, with the first emergence being eight minutes after sunset. No bats were detected either leaving or entering any building on the following two surveys. However, on all surveys, bats were detected foraging to the north-east, south-east and south-west (and partial calls were also heard to the north on the first dusk survey). The earliest activity on the second dusk survey was 20 minutes after sunset and the latest activity on the dawn survey was 27 minutes before sunrise.
- P. pygmaeus:** Three bats were seen to emerge from loose lead flashing around the chimney pot to the left of the front elevation (east facing) on the first dusk survey, five bats were seen to leave on the second dusk survey and four bats were seen to enter on the dawn survey. On all surveys, bats were detected

foraging and commuting to the north-east, south-east and southwest of the buildings. The earliest activity on the first survey was an emergence at 10 minutes after sunset, the earliest activity on the second dusk survey was an emergence 13 minutes after sunset, and the latest activity on the dawn survey was a re-entry nine minutes before sunrise (with some swarming activity detected). In addition, bats were detected foraging, commuting and socialising to the north-west, north-east and south-east.

- **R. hipposideros:** On the second dusk survey, one bat was seen to enter the original dwelling via a slipped pane of glass at 48 minutes after sunset and one bat was seen to leave the same area on the dawn survey at 42 minutes before sunrise. Partial calls were heard to the south and west on all surveys.
- **Myotis species:** No activity was detected on the first dusk survey while on the second dusk survey and the dawn survey bats were detected foraging and commuting to the south of the annex and stone outbuilding while calls were also heard to the north. The earliest activity on the second dusk survey was 63 minutes after sunset while the latest activity on the dawn survey was 69 minutes before sunrise.

6.11.3 Flight activity summary for the Annexe and Stone Outbuilding: During the activity surveys, four species of bat; *P. pipistrellus*, *P. pygmaeus*, *R. hipposideros* and *Myotis* species were using the surrounding environment for foraging and commuting, but no bats were seen to leave or enter any part of either building.

6.11.4 Flight activity summary for the Original Dwelling: During the second dusk survey, one Lesser horseshoe was detected entering the building via a slipped glass pane to the front, and during the dawn survey, one bat of the same species was seen to leave the same area. In addition, three *P. pygmaeus* bats were seen to leave loose lead flashing around the chimney pot to the left of the front elevation on the first dusk survey, five *P. pygmaeus* bats were seen to leave on the second dusk survey and four *P. pygmaeus* bats were seen to enter on the dawn survey. There is also an area where the roof steps down to the rear of the dwelling where two *P. pipistrellus* bats

were seen to leave on the first dusk survey. These and a further one species (Myotis species) were seen/detected by the surveyors utilising the immediate surroundings for foraging and commuting.

6.11.5 As part of the scoping survey undertaken by I&G Ecological Consulting Ltd on the Annexe and the Stone Outbuilding, no bats or their signs were found, and collectively they are considered to have low to moderate potential to support roosting bats, and a low to moderate risk of bats using the features present. During the activity survey, four species of bat; Common pipistrelle, Soprano pipistrelle, Myotis species and Lesser horseshoe were using the surrounding environment for foraging and commuting, but no bats were seen to leave or enter any part of either building. There are therefore currently no bats using these buildings, they receive no ecological protection under wildlife legislation and there are no ecological constraints to the proposed works.

6.11.6 In relation to Roost Characterisation Assessment, from the evidence gathered, it is considered that the original dwelling is being used as a feeding perch for an individual (probably male) Lesser horseshoe bat. The loose roof materials are also providing refuge for 5 soprano and 2 common pipistrelles.

6.11.7 No evidence of nesting birds was found in any of the buildings and no signs of owl activity were discovered.

6.11.8 I & G Ecology concluded their Report indicating that the existing redundant outbuilding located off the western perimeter of the site be dedicated as a bat roost, and equipped as follows:

- **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. 300mm x 400mm "Cowled" 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.

The dedicated bat house proposals are reproduced below as Figures 15 & 16.

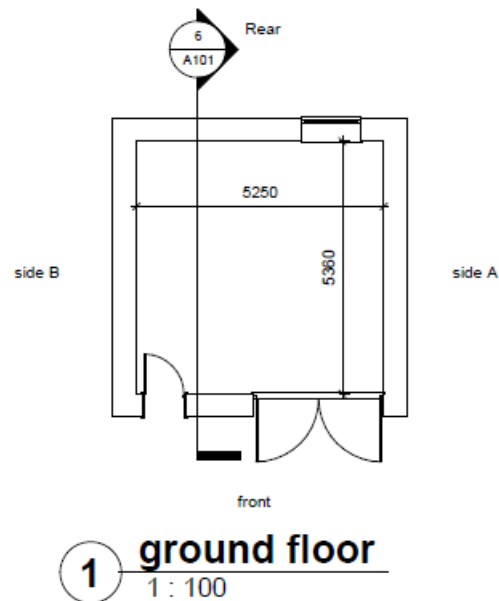


Figure 15 – proposed floor plan of Bat House

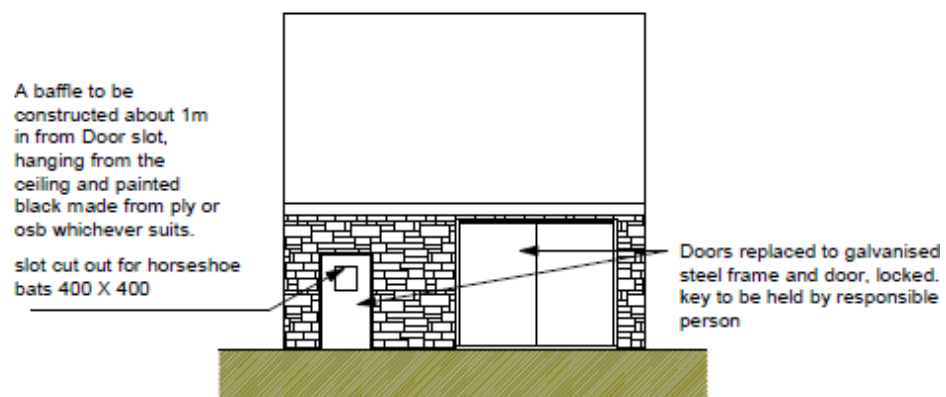


Figure 16 – proposed works required to exterior of outbuilding to form Bat House

6.12 OTHER PROTECTED SPECIES SURVEYS

Badgers

- 6.12.1 The surrounding habitat was assessed for its suitability for badgers which includes the presence of setts, well-worn paths and runs, snagged hair, latrines, footprints and foraging. Any such incidental signs of badgers were recorded if they were encountered.

Otters

- 6.12.2 The surrounding habitat was assessed for its suitability to support otters. The area was searched for field signs such as spraint marking, slides, hovers or footprints.

Dormice

- 6.12.3 The habitats on site, particularly the hedgerows were assessed for their suitability to support dormice.

Birds

- 6.12.4 The habitats on site were assessed for their suitability for breeding birds, including trees, scrub and grassland.

Reptiles

- 6.12.5 The habitats on site were assessed for their suitability to support reptiles, and Reptile Survey and Mitigation Report is appended as Appendix 6 to this ES.

Amphibians

- 6.12.6 The habitats on site were assessed for their suitability to support amphibians.

Marsh Fritillary

- 6.12.7 The surrounding habitats on site were assessed for their suitability to support marsh fritillary butterfly and their food plant Devil's bit scabious *Succisa pratensis*

Non-Native Invasive Species

- 6.12.8 Any pernicious weeds under Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (as amended) were noted and mapped during the site survey. These species include Japanese Knotweed (*Fallopia Japonica*), and Himalayan Balsam (*Impatiens glandulifera*).

6.13 DESK STUDY RESULTS

6.13.1 A data search was requested from the South-East Wales Biological Records Centre for the planning application site and surrounding area of up to 2km. The species information was returned to I&G Ecology on 11th May 2020. The closest record to the site is for a number of birds including Dunnock (*Prunella modularis*), Song Thrush (*Turdus philomelos*) and Reed Bunting (*Emberiza schoeniclus*) all at 47m. There are large number of records of invertebrates, mostly lepidoptera but also a number of Hymenoptera. A number of protected and notable species records were returned within 1km of the site centre. The records will not be listed here, but the most significant, those which are considered to potentially be affected by the development of the site will be briefly summarised. However, the full data are available upon request to those nominated on the request form, as some data may be classified as sensitive. The Data Search results are shown below as Figure 17.

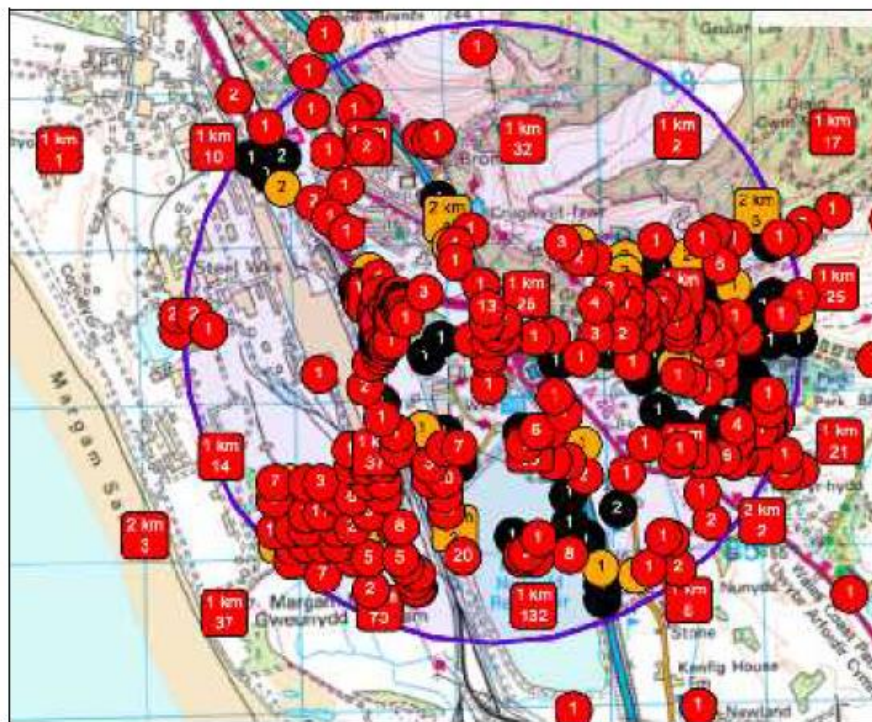


Figure 17 – SEWBRc Protected Species Data search



Figure 18 – SEWBRc Protected Sites Data Search

6.13.2 No statutory or non-statutory protected features of ecological significance are present within nor adjacent to the property, as shown Figure 18 above. Within 2km, Eglwys Nunydd Reservoir Site of Special Scientific Interest (SSSI) /Site of Importance for Nature Conservation (SINC) is 715m to the south while Margam Moors SSSI is 1.37km to the south-west. Neither of these sites are designated for their bat interest, and there are no sites which are designated for their bat interest within 10km. Within 2km there are 13 areas of Ancient Semi Natural Woodland, 10 Restored Ancient Woodland Sites, seven Plantations on Ancient Woodland Sites, and six Ancient Woodland Sites of Unknown Classification, along with two additional Wildlife Sites/SINCs: Margam Country Park and Junction 38 Wetland Complex. Further, within 2km there are no Wildlife Trust Sites, Local or National Nature Reserves

6.13.3 The significant findings from the data search are summarised below:

6.13.4 Birds

The data search returned almost 500 entries of birds which are categorised as priority species within 2km of the site. Several species were recorded at 47m from site including Dunnock (*Prunella modularis*), Song Thrush (*Turdus philomelos*) and Reed Bunting (*Emberiza schoeniclus*). Barn Owl (*Tyto alba*) at 95m, House Sparrow (*Passer domesticus*) at 230m and Bullfinch (*Pyrrhula pyrrhula*) also at 230m.

6.13.5 Mammals

The data search returned over 100 records of mammals within 2km of the site, most significantly included:

- 44 entries for Bats (*Pipistrelle* species, *Myotis* species, Lesser and Greater Horseshoe, Brown long-eared, Natterer's, Brandt's, Whiskered). Closest being 77m from the site *Pipistrellus pipistrellus*.
- 2 entries for Polecat (*Mustela putorius*). Closest being recorded 180m from site.
- 1 entry for Otter (*Lutra lutra*) being recorded at 1212m from the site.
- 1 entry for Weasel (*Mustela nivalis*) at 878m
- 11 records of Hedgehog (*Erinaceus europaeus*), closest recorded 641m from the site.
- 7 entries for Badger (*Meles meles*), the closest being 230m from site.
- 5 entries for Hare (*Lepus europaeus*) the closest being at 1749m from site

6.13.6 Invertebrates

The data search returned c.160 records of invertebrates, which were mostly for moths, butterflies and bees. The closest records include Oak Hook-tip (*Watsonalla binaria*), Dusky Thorn (*Ennomos fuscantaria*) and Bloody-vein (*Timandra comae*) all at 172m from site.

6.13.7 Plants

The data search returned very few records of plants within 2km of the site. There are 14 records for Bluebell (*Hyacinthoides non-scripta*), the closest being at 230m from the site. Other records include Fen Orchid (*Liparis loeselii*) at 1707m and Welsh Mudwort (*Limosella australis*) at 1931m (1942 record).

6.13.8 Reptiles

The data search returned 65 records of reptiles within 2km of the site:

- 22 entries for Slow-worm, closest being recorded 491m from site
- 30 entries for Common Lizard (*Zootoca vivipara*) closest being 566m from site.
- 11 entries for Grass Snake (*Natrix Helvetica*) at 625m
- 2 entries for Adder (*Viper berus*), closest being at 1349m from site (1974 record) and 1914m (2012).

6.13.9 Amphibians

The data search returned 16 records of amphibians within 2km of the site:

- 4 Common Frog (*Rana temporaria*) 1349m from site
- 5 Common Toad (*Bufo bufo*), closest being recorded 1226m from the site
- 3 entries for Great Crested Newt (*Triturus cristatus*), closest recorded at 1193m
- Palmate Newt (*Lissotriton helveticus*) at 1914m from the site.

6.13.10 INNS

A wide range of INNS species were returned including plants, crustacea, birds, insects, molluscs and flowering plants. Of those, the following are more likely to be encountered on site:

- 7 entries for Japanese Knotweed (*Fallopia Japonica*), closest is at 47m from site centre.
- 3 entries for *Crocasmia pottsii* x aur, 230m being closest
- 5 entries for Grey Squirrel (*Sciurus carolinensis*)

6.13.11 Statutory Designated Sites

The data search showed that there were a number of Nationally or Internationally important sites (e.g., SSSIs, SACs or SPAs) which lie within the search buffer.

SSSI: Eglwys Nunydd Reservoir (715m) – Described in Citation as: “*The largest sheet of freshwater in the country. On the site of Margam moors which, before being reclaimed for the Abbey Steel Works, was a notable site for wildfowl. The reservoir*

attracts large numbers of wintering waterfowl and passage migrants. Notable species including Great Crested and Little Grebes, Mallard, Gadwall and Coot now breed"

SSSI: Margam Moors (1370m) – Described in Citation as: *"The last remaining example of the once extensive coastal levels in West Glamorgan. Bounded to the seaward by dunes and to landward by high ground, the meadows provide an agriculturally managed freshwater habitat which hosts many species of plant on the edge of their geographical range, and nationally important invertebrates.*

Mesotrophic marsh, fed meadowed and ditch communities support Flowering-rush Butomus umbellatus, Frogbit Hydrocharis morsus-ranae, Arrowhead Sagittaria sagittifolia, Cyperus Sedge pseudocyperus and Brown Sedge C. disticha on the edge of their range with others such as Lesser Water-plantain Baldellia ranunculoides, Tubular Water-dropwort Oenanthe fistulosa and Marsh Helleborine Epipactis palustris of local interest."

6.13.12 Locally Designated (Non-Statutory)

There are 3 Wildlife Sites/SINCS designated:

1. Margam Country Park (513m)
2. Junction 38 Wetland Complex (239m)
3. Eglwys Nunydd (598m)

6.13.13 NRW Priority Areas

There are a good number of Priority Areas of habitat surrounding the site and are categorised thus (from SEWBRec/Aderyn data results table)

Ancient Semi Natural Woodland		13	Priority Area
Restored Ancient Woodland Site		10	Priority Area
Plantation on Ancient Woodland Site		7	Priority Area
Ancient Woodland Site of Unknown Category		6	Priority Area
NRW Priority Area (Woodland - PAWS)		6	Priority Area
NRW Priority Area (Lowland Wetland)		1	Priority Area

6.13.14 CCW Phase 1 Survey

Information obtained from the Phase 1 Survey of Wales (CCW.1997) was also used to provide an indication of the broad habitat types previously recorded in the local area. The survey mapped the areas of existing grassland as either improved, or poor semi-improved grassland. It should be noted that whilst the CCW data-set is useful to indicate broad habitat types locally, it is not suitable for site specific assessment. The data set was gathered over a period of years (1979-1997) and habitats will have changed in the interim period depending on land use, management, development works etc.

6.14 SITE APPRAISAL RESULTS

- 6.14.1 The site survey was undertaken on the 20th of January 2020 by a suitably qualified ecologist. Where possible, the habitats were cross referenced to any UK priority habitats or local habitat designations adopted by the Local Authority (e.g., SINCS).
- 6.14.2 The land within the site boundary comprises of semi-improved pasture, mature trees, buildings (with associated garden planting) bounded by hedgerows/treelines. The site is located immediately adjacent to the A48 at Margam, and is surrounded by a mixture of industrial processing plants; agricultural pasture and woodland as shown in Figure 19 below:



Figure 19 – Area surveyed

The site comprises of a former dwelling and outbuildings, within a single parcel of grassland. Habitats recorded within the boundary were as follows:

Semi-improved Grassland

6.14.3 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. It is possible that regular and/or late mowing reducing the likelihood of seeing plants which would normally indicate more species-rich grassland. Species visibility may also be compromised by the out-of-season survey.

6.14.4 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. See Photographs 6 and 7 below:



Photograph 6



Photograph 7

Boundary Features

6.14.5 The site is virtually bounded by outgrown hedgerows. The southern boundary is essentially a gappy hedge dominated by Hawthorn with occasional Ash, Holly and Elder. The eastern boundary along the roadside consists of a row of unmanaged native trees. North and western boundaries include stone walls in poor condition.



Photograph 8



Photograph 9

6.14.6 There are also scattered mature trees following the line of access track in the northern section of the site.

Garden

6.14.7 The rear and side garden of the property are overgrown with dense Bramble but garden shrubs such as Magnolia and Apple/Crab Apple, trees including Pine and Ash

saplings, and other planting are still evident. Density of scrub precluded full survey. See Photographs 10 and 11.



Photograph 10

Photograph 11

Scrub (including overgrown garden)

6.14.8 There are a number of outgrown garden shrubs and trees to the south and west of the house, which are now under dense Bramble, which restricted access to the periphery of this area

Invasive Non-Native Species

6.14.9 Japanese knotweed is present in a number of clumps along the treeline of the roadside boundary, particularly to the north of the access track. Japanese knotweed is also present in the garden to the south of the house, as well as *Buddleia davidii* in this location. Winter Heliotrope is present in large clumps by the access gate and also under the trees along the western boundary.

6.14.10 There may well be other INNS present in the scrub/garden area such as *Crocasmia*, but access was limited to viewing from the immediate rear of the house.

Badger

6.14.11 The grassland is suitable for Badger foraging. There are also potentially suitable habitat setts within the overgrown garden area, but access was restricted due to the density of scrub. No evidence of badger activity was found within the grassland or hedgerows; however, fairly defined mammal tracks were observed

running across the grassland which may be a regular badger route. No definite exit was found through the hedge (see Photograph 12).



Photograph 12 – Mammal Tracks within Grassland

Otters

6.14.12 There are no watercourses on site or in close proximity to the site. The large water body of Eglwys Nunedd is less than 1km away to the south, and Margam Moors are within 1.5km. No evidence of Otter activity was noted on site, and the data search returned only 1 record within 2km.

Reptiles

6.14.13 The grassland sward is relatively uniform but is tussocky in places and there is a variety of vegetation types, heights, and densities particularly around the periphery of the site and therefore the site appears to have the structural complexity that reptiles require to provide suitable ecotone areas for basking and cover.

Amphibians

6.14.14 There are no watercourses or open water within or adjacent to the site, therefore the site is considered unsuitable for breeding populations of amphibians. The grassland and scrub may harbour terrestrial phase amphibians.

Hazel Dormouse

- 6.14.15 The unmanaged hedgerows present on site were considered to provide some food potential to support dormice as they contained berry/nut producing species such as Bramble, Hazel Oak and Hawthorn, all of which dormice will utilise. The density of Bramble and other scrub in the Garden area precluded full access, however this density of vegetation and connectivity to boundary treelines would provide arboreal cover and access to suitable habitat in the wider vicinity particularly along the A48/M4 corridor to the south. Retention and improved management of these hedgerows is considered desirable due to their connectivity to other hedgerows and woodland pockets in close proximity to the site.

Water Voles

- 6.14.16 There are no watercourses on or adjacent to the site, therefore, the habitat present was considered to be unsuitable to support Water Voles

Birds

- 6.14.17 Although only a small number of bird species were observed during the survey, (Robin, Jackdaw and Magpie), the site provides suitable nesting and foraging habitat for species such as Blackbird, Thrush, Finches and House Sparrows.

Marsh Fritillary

- 6.14.18 There is no suitable habitat to support Marsh Fritillary butterfly due to the lack of preferred food plant species, uniform sward height and regular moving.

6.15 ECOLOGICAL ASSESSMENTS

6.15.1 The following values have been provided to assess the importance of an ecological feature value within a geographical context, as recommended within the CIEEM Guidelines for Ecological Impact Assessment (2016) and the CIEEM Guidelines for Ecological Report Writing (Dec 2015). See Table 1 (Ecological Value Assessments) and Table 2 (Impact Level Criteria) below:

Importance	Examples of features
International & European	European designated or proposed sites such as Ramsar Sites, Special Protection Areas, Special Areas of Conservation, World Heritage sites or Biosphere Reserves; or otherwise meeting criteria for European or International designation. Sites supporting populations of European important species. Species listed within the Annex's of The Conservation of Habitats & Species Regulations 2010
National	Nationally designated sites such as Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), areas of key habitats and species within the UK Biodiversity Action Plan. Sites supporting viable breeding populations of Red Data Book (RDB) species (excluding scarce species), or supplying critical elements of their habitat requirements. Species listed within the schedules of the Wildlife & Countryside Act 1981.
Regional	Sites containing viable areas of threatened habitats and species listed in a regional Biodiversity Action Plan, sites exceeding Site of Importance for Nature Conservation (SINC) criteria. Sites supporting viable populations of Nationally Scarce species or those included in the Regional Biodiversity Action Plan on account of their rarity, or supplying critical elements of their habitat requirements.
High Local	Sites meeting the criteria for a county, vice county or metropolitan area designation (such as SINC), which may include amenity and educational criteria in urban areas. Ancient semi-natural woodland. Designated Local Nature Reserves. Sites containing viable areas of any key habitat type or species identified in the Local Biodiversity Action Plan (LBAP). Sites supporting viable breeding populations of species known to be county/metropolitan rarities e.g. featuring in county 'red data book' or LBAP, or supplying critical elements of their habitat requirements.
Moderate Local	Undesignated sites or features considered appreciably to enrich the habitat resource within the context of the Borough or District, or included in the Borough or District LBAP. Amenity and educational functions will be recognised in urban areas. Sites with viable breeding populations of species listed as rare in the District or Borough LBAP or supplying critical elements of their habitat requirements.
Low Local	Undesignated sites or features considered appreciably enriching the habitat resource within the context of the Parish or neighbourhood.
Negligible	Low-grade and widespread habitats.

Table 1 – Ecological Value Assessments

Severe	Permanent impacts
Major	Loss of feature and/or quality and integrity of feature; severe damage to key characteristics, features or elements.
Moderate	Loss of feature, but not adversely affecting the integrity; partial loss of/damage to key characteristics, features or elements.
Minor	Some measurable change in attributes, quality or vulnerability; minor loss of, or alteration to, one (maybe more) key characteristics, features or elements
Negligible	Very minor loss or detrimental alteration to one or more characteristics, features or elements
Neutral	No impacts

Table 2 – Impact Level Criteria

6.15.2 Despite the habitat survey being undertaken in January, a number of grassland species were evident including Common Knapweed, Vetch sp. And Self Heal. Without further survey at the appropriate time of year, the grassland cannot be assessed against S7 or SINC criteria. Therefore, habitat value cannot be accurately assessed but it is predicted to be **Moderate Local**. Loss of this habitat, without mitigation is considered to be **Moderate**.

6.15.3 The hedgerows were considered to have some ecological interest for breeding birds and small mammals; however, lack of management reduces its value as habitat cover and as food sources for local wildlife. The treeline is currently unmanaged, and whilst not particularly dense, will provide opportunities for a range of birds, mammals and invertebrate species. Its connectivity to other hedgerows and habitat will be of value to local wildlife. Overall, the hedgerows value was assessed as: **Low Local**. Loss or damage to hedgerows and trees without mitigation would be **Major to Moderate**.

6.15.4 The walls are in a poor state of repair, but as such, they could provide refuges for Amphibians, Reptiles, small mammals and a range of invertebrates. Their value was assessed as **Low Local**. Loss of habitat, without mitigation is considered to be **Moderate**.

6.15.5 The scrub is dense and of considerable area (1200m²) and it connects to treelined boundaries of the adjacent fields. It will provide food, nesting and shelter for a range of animals including reptiles, amphibians, invertebrates and small mammals. It may

also provide dense enough cover for a Badger Sett. Its value was assessed as **Low Local** and without mitigation its loss would be considered **Minor**.

6.15.6 The field survey identified the on-site habitats as having the potential to support the following species groups; Breeding Birds, Bats, Dormice, Reptiles, Badgers, Invertebrates and Amphibians (terrestrial phase).

6.15.7 During the field survey, no bird species, which are listed under the LBAP and UK BAP as being associated with the on-site habitats, were recorded. The survey concluded that the site consisted of suitable habitat which could support priority species such as Dunnock, House Sparrow and Bullfinch. The grassland and out-buildings may also provide forage and nesting opportunities for Barn Owl.

6.15.8 Area loss can cause populations of organisms to decline due to the decrease in habitat size. The area to be development consists of four habitat types: Semi-improved Neutral Grassland, scrub, scattered trees, boundary features (Broadleaved treelines, stone walls, and hedgerow). If the site is cleared without mitigation for development the impact is expected to be **Moderate-Major**, depending on the outcome of further surveys and/or Appropriate Assessment.

6.16 CONCLUSIONS AND RECOMMENDATIONS FOR FURTHER STUDY

Semi-improved Neutral Grassland

6.16.1 The proposed layout looks to conserve a considerable area in the centre of the circular roadway. This is where the most flowering species were evident. Further survey of the grassland may be required to ascertain if it would be classed as S7/SINC habitat.

6.16.2 A proportion of the grassland will be lost due to lorry parking bays. It is proposed that the remaining areas are augmented with wildflower planting (either seed or plug plant, as suitable) and subsequently managed by way of a “conservation cut” (cut and collect max. twice a year – spring and late summer or advised by plant supplier).

Native hedgerow and Treeline

6.16.3 From the “site layout plan”, within the Drainage Strategy Report (HCE May 2020) the hedgerows, scattered trees and tree-lined boundaries will remain intact; utilising access existing entrance off A48.

6.16.4 If it is deemed necessary, e.g., for Highways safety, to widen the visibility splay, then the loss of at least a section of the road-side hedgerow/treeline is likely to be necessary for access to the site.

6.16.5 This partial loss of hedgerow can be partly offset by **new hedgerow planting within the landscape scheme, coupled with improved management of remaining hedgerows, including gapping-up/interplanting, particularly along the southern boundary**. Consideration should be given to laying this length of hedgerow to improve screening and enhancement of biodiversity resource.

6.16.6 Any new planting should be with trees and shrubs of local provenance and should seek to replicate the species mix present in the existing hedgerow. Landscaping should include berry bearing species such as Guelder Rose, Rowan, Elder and Spindle (native varieties).

6.16.7 Retention and protection of remaining hedgerow and treeline is recommended; the use of Root Protection Zones and appropriate working methodology as well as proximity of development boundary must be considered.

Other boundary features – Stone Walls

6.16.8 It is recommended that stone walls along the western and northern boundaries are left in situ/undisturbed as they provide habitat for a range of animals and birds. If the installation of secure perimeter fencing is required, then careful removal under guidance of on-site ecologist would be recommended, details of which could be included in any future Reptile Mitigation Method Statement, for example.

Birds

6.16.9 All nesting birds are protected under Section 1 of the Wildlife and Countryside Act of 1981. Therefore, vegetation clearance should be planned outside the nesting bird season. Removal of bird habitat will be mitigated for by replacement quality habitat within the development landscaping scheme.

Bats

6.16.10 Using the findings of the desk study and field surveys, it is **concluded that the property is located within close proximity to favourable bat habitat but is not within 10km of any sites which are designated for their bat interest.** The **Annexe and the Stone Outbuilding** at the property presently have only **low to moderate** potential to support bats and while two species of bat (**P. pipistrellus** and **P. pygmaeus**) were using the surroundings for foraging and commuting, **bats are not currently using these buildings.** **It is therefore considered that proposed development (of these buildings) will not have a negative impact upon the bat species using the area.** The localised scale of the proposed development also suggests that the impact on the local ecology is likely to be negligible and the proposed enhancement should result in a positive impact

6.16.11 **Roost Characterisation Assessment for the Original (Period) Dwelling:**
From the sonograms detected and the DNA evidence, it was clear that the building

was being used as an **R. hipposideros** bat roost. However, due to the low quantity of faeces, the findings of the activity surveys, the absence of any bats during the daytime inspection, the very low number of calls recorded as well as the timings, it was considered very unlikely that the building was being used as a maternity roost. Therefore, it was concluded that the building was more likely to be used as **a feeding perch by a solitary R. hipposideros** bat and this was supported by the timings of the bat calls and that fact that one bat was seen to enter the dwelling on the second dusk survey and one bat was seen to leave on the dawn survey. Partial calls of **R. hipposideros** bats were also heard during all the surveys. In addition, **P. pygmaeus** and **P. pipistrellus** were seen to leave and enter the ridge next to the chimney and from the rear of the roof. However, due to the lack of guano internally, the findings of the activity surveys, the absence of any bats during the daytime inspection, and the absence of any calls on the Anabat, it was considered that it was unlikely that the loft or interior of the building was being used as a maternity roost. Therefore, it was concluded that externally, the gaps in the roof slates of the building were more likely to be used as a **daytime roost for a small number of P. pygmaeus (five confirmed)** and as an **occasional daytime roost for P. pipistrellus (two confirmed)** bats. The only viable access and egress point for the **R. hipposideros** was the slipped pane of glass in the upper floor window and this was where bats were seen to enter and leave (using night vision equipment). Previously, that species could once gain access via the vandalised door which has since been boarded up and sealed. See appendix 9 which shows roost status and resulting mitigation/compensation requirements. Using this, it can be considered that the **P. pipistrellus** and **P. pygmaeus** roosts are of low conservation significance as they are non-maternity roost for a common species. In relation to mitigation (Mitchell-Jones, A.J., 2004, p. 39), there is flexibility over the provision of bat boxes, access to new buildings etc., and there are no conditions about timing or monitoring. In relation to the **R. hipposideros** roost, 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. Such facilities need not be exactly like for like, but should be suitable based on the species' requirements, and there are minimal timing constraints or monitoring

requirements. The proposed mitigation is considered suitable as it retains a roost space in a dedicated building at the site. In addition, monitoring measures have been recommended.

6.16.12 Crevice-dwelling bats (such as **P. pygmaeus** and **P. pipistrellus**) can crawl into roosts via small gaps in the range of 15–20mm high by 20–50mm wide. The roost area should maintain a crevice of this approximate size gap that the bats can roost between. The area this roost provision covers can be small but about 1m² would be useful for summer nursery roosts. The height of entry can be from 2–7m. Horseshoe bats need a larger access so that they can fly (instead of crawl) directly into the roost. **R. hipposideros** bats need an access of 300mm (w) x 200mm (h), while **R. ferrumequinum** bats need 400mm (w) x 300mm (h). As above, the roosting area should not be trussed, to allow flight, and should again (where possible) be of similar dimensions to the roost being replaced. All bats and their roosts, irrespective of the number of bats, species, and whether bats are present or not, receive protection from the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). As a result, in the absence of mitigation, the proposed works could result in the damage/destruction of bat roosts for three species of bat, as well as the potential disturbance, killing and/or injury of bats. Destruction of a roost is an absolute offence under the above legislation and therefore, an **EPS derogation licence must be obtained from Natural Resources Wales for the works to be legally undertaken on the original dwelling.**

6.16.13 Enforceable conditions of the EPS licence will require the maintenance of mitigation measures already incorporated to minimise the risk of disturbance, killing or injury of bats (i.e., timing and methods of demolition works), and compensation measures to ensure there is continued bat roosting provision at the site and that the site is enhanced for protected species.

6.16.14 There are not considered to be any survey limitations which would impact upon the findings and recommendations of this report.

6.17 BAT SURVEY RECOMMENDATIONS

6.17.1 As noted in above, all bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2017, and the Wildlife and Countryside Act 1981 (as amended). An EPS licence must be obtained for the works to legally proceed on the original dwelling.

6.17.1 **P. pygmaeus, P. pipistrellus and R. hipposideros** are both species of principal importance. With regards to such species (Biodiversity Action Plan (BAP) species) in Wales, under section 42 of the Natural Environment and Rural Communities Act 2006, and sections 6 and 7 of The Environment (Wales) Act 2016 – the LPA must ‘have regard’ to the conservation of their biodiversity in considering the planning application. In the Environment (Wales) Act 2016 Section 6 places a duty upon Local Authorities to enhance biodiversity and the resilience of ecosystems and 7 to Creating local biodiversity lists and a duty to take steps to maintain and enhance biodiversity.

6.17.2 Measures will be required to help meet obligations within The Environment (Wales) Act 2016 and Planning Policy Wales 11th Edition; as well as compensate for the loss of roosting opportunity. Excellent long-term enhancement can be delivered, see appendix 10 for proposals and examples. Mitigation measures (against the risk of disturbing, killing, or injuring bats during the works), and compensation measures (to provide continued bat roosting provision at the site) will need to be implemented as conditions of the licence. The recommendations are as follows (and locations of all measures, dimensions of roost space and access points are to be included in the final plans submitted to the LPA):

- **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. In addition, as per

- **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.

6.17.3 An outline Method Statement has been included to enable the LPA to have '*regard to the requirements of the Habitats Directive... in the exercise of their functions in considering the planning application*'. A full Method Statement will be prepared as part of an EPS licence application to be submitted to Natural Resources Wales.

6.18 METHOD STATEMENT FOR PLANNING – ANNEXE AND OUTBUILDING

6.18.1 No bats were detected utilising the annexe or the outbuilding and there are no restrictions on the timing of the work in relation to bats. If the proposed plans involve works to the roofs, extra care will be taken at wall tops, and when stripping the roofs. All materials are to be lifted and not slid as – despite a negative survey – bats can still be found in these areas. If bats are found at any stage, all works will stop, and a qualified ecologist called for advice and guidance. Monitoring will be undertaken on the outbuilding once converted for bat use following the methodology outlined within the method statement and timetable. (Mitchell-Jones, 2004 – figure 4, page 39). Given the proximity of the buildings to the dwelling, the works on the outbuilding will be completed prior to any other works taking place and works to the annexe will preferably take place between October and April to avoid potential disturbance.

6.18.2 Current plans, including lighting plans for the outbuilding which is to be the proposed mitigation are not currently available but will be submitted. These plans must ensure that exterior lighting is kept to a minimum to prevent any adverse impacts on bats. In particular, external lighting around the recommended mitigation must be carefully designed to avoid any impact upon bats (Institution of Lighting Professionals, 2018). If an external lighting scheme is proposed for this application a plan will be produced that demonstrates compliance with the lighting principles outlined within the guidance referenced above. This lighting plan must be agreed by the Local Planning Authority Ecologist.

6.18.3 Where external lighting is necessary, this should utilise a number of key design points to limit any impact, as follows: Low level lighting pointed towards the ground; LED bulbs to be used of 2700 Kelvin (p.18 of the lighting guidelines referenced above) and below (warm white light and not daylight); use of light shields and hoods to direct the light downwards and prevent vertical and horizontal light spill; and use of passive infrared (PIR) motion sensors on timers to ensure lights only come on when necessary.

6.19 OUTLINE METHOD STATEMENT FOR PLANNING AND MITIGATION/COMPENSATION MEASURES – ORIGINAL DWELLING

6.19.1 As there are bats present within the original dwelling at the property, an outline method statement for both the LPA and the licence application is required; this will inform the ecologist undertaking the licensing work. If bats other than the named species on the licence are discovered during any stage, then all work must stop and I&G / NRW be called for advice and guidance.

6.19.2 This Outline Mitigation Strategy will form the basis of the EPS Method Statement to be submitted to Natural Resources Wales following the receipt of planning permission. It aims to address the timing and methods of activities; provision of new bat roosts and site enhancement; impact on, and maintenance of, existing roosts; lighting and habitat provisions; and monitoring.

Timing and Methods of Activity

6.19.3 All contractors will receive a toolbox talk prior to the commencement of works to outline the status of the building, conditions of the licence and Method Statement. High risk works will be directly supervised by a licensed bat ecologist.

6.19.4 All roof works (if needed) to the main (period house) will be undertaken carefully by hand and in the presence of a licensed bat ecologist. Pipistrellus bats were seen to leave two roof areas, and it is always possible that bats may be using other areas.

6.19.5 It is not anticipated that any bats will need to be captured or excluded during the works. See table 1 for a provisional timetable of works.

Stage	Dates	Works
0	From receipt of planning permission to receipt of EPS licence	• NO works to the period dwelling roof. This includes works which may impact on these areas. Works on the annexe can proceed once the relevant planning permissions are in place preferably within the period October to April. • A dedicated roost space is to be created within the detached outbuilding at the property prior to works commencing on the dwelling. To be accessed via a cowled "letterbox" measuring 400mm x 300mm (to cater for both Rhinolophid species) on the north-east elevation and x 4 soffit gaps. Internally, affix x 1 Kent style and x 1 Beaumaris bat box.
1	From receipt of EPS licence	• Toolbox talks. • Ecologist to be on site to check when all roof/roofware works are taking place on the period dwelling.
2	Completion of works	• Monitoring check to confirm bat access points provided correctly (roost and bat box inspection on both barns) – One visit in year 1 following completion of the development. • One dusk activity observation or one dawn activity observation to be carried out during the summer survey period (when works are complete) in Years 1 and 3 post completion by a suitably qualified ecologist. • Reporting to Welsh Government.

Table 1: Provisional Timetable of Works

Maintaining Bat Roost Provision

6.19.6 As per **recommendation 1**: prior to works commencing, a dedicated roost space is to be created within the detached stone building on site (35m west of the loft space of the house and some 30m from the site where horseshoe droppings were found) for the species confirmed to be present. Letterbox access (at least 300mm high x 400mm long to provide for both Rhinolophidae) will be provided as well as wall top gaps, and one in eight crevices are to be retained in the stonework. In addition, as per **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. To be affixed in an elevated position (2m or >). See appendix 10 for further details.

6.19.7 Any new timbers/timber products must be checked to ensure that chemicals toxic to bats are not used (TIN 092) and the only lining membrane for the soffit areas that

bats may encounter is 1F traditional bitumen membrane. Research has demonstrated that none of the modern breathable membranes currently on the market are safe to use where bat roost mitigation is provided

Lighting and Habitat Provisions

- 6.19.8 Current lighting plans for the dwelling are not known but should any be proposed they must ensure that exterior lighting is kept to a minimum to prevent any adverse impacts on bats. The recommendations include no lighting either internally or externally on the bat house, but any external lighting around the recommended mitigation must be carefully designed to avoid any impact upon bats (Institution of Lighting Professionals, 2018). If an external lighting scheme is proposed for this application a plan will be produced that demonstrates compliance with the lighting principles outlined within the guidance referenced above. This lighting plan must be agreed by the Local Planning Authority Ecologist.
- 6.19.9 Where external lighting is necessary, this should utilise a number of key design points to limit any impact, as follows: Low level lighting pointed towards the ground; LED bulbs to be used of 2700 Kelvin (p.18 of the lighting guidelines referenced above) and below (warm white light and not daylight); use of light shields and hoods to direct the light downwards and prevent vertical and horizontal light spill; and use of passive infrared (PIR) motion sensors on timers to ensure lights only come on when necessary.
- 6.19.10 Habitat. The site plan in appendix 5 shows the proposed habitat. Only part of the site will be cleared for the truck stop and all boundary habitat is to be retained. There are no known plans to alter the habitat around the bat mitigation site. Measures to support Swallows, House martins and House sparrows could also be provided as they are a UK BAP species. Suitable designs and measurements may be found within the publication 'Biodiversity for low and zero carbon buildings – a technical guide for new build' (Williams, 2010). **Planting must be retained and possibly enhanced around the bat roost area.**

6.19.11 Monitoring. The following monitoring checks are proposed have been provided correctly will include:

- Prior to commencement of other works (no EPS licence required) – Completion of bat house mitigation and inspection by the named ecologist (photos and report to be sent to NRW). Inspection of the dwelling and annexe prior to works commencing (as close as possible to the date works are to start).
- Summer 2023 (Between 1st June and 31st August) or the summer one year after completion of the works. Roost inspection and one dusk and one dawn activity observation.
- Summer 2025 (Between 1st June and 31st August or year three after completion. Monitoring visits to ensure mitigation maintained.

Dormice

6.19.12 The hedgerow, scrub and treeline, **although not optimal habitat**, will provide commuting routes for Dormice. Proposed site layout looks to retain existing hedgerows, however, if trees are to be removed, a Working Methodology for Dormice is provided as shown in Appendix 2C of this ES.

6.19.13 The hedges should be enhanced by interplanting with species which provide food sources for Dormice (i.e., Berry and Nut producing trees, Honeysuckle).

Reptiles and Amphibians

6.19.14 The site is deemed suitable for reptiles, in particular Slow Worm and Common Lizard. The local area has considerable records for reptiles (c.60 entries returned for most common species less than 1km from site centre). It is recommended that a Reptile Mitigation Method, which will detail working methods and timing in order to minimise harm. Mitigation for potential habitat loss will also need to be considered.

- 6.19.15 The construction of a new shallow Attenuation Pond is proposed as part of the Drainage plan, situated in the northern most corner of the site. This will provide opportunities for breeding Amphibians, which currently have no such waterbody on site. Native planting around the pond will provide additional habitat niches and nectar sources for birds, small mammals and invertebrates.

Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty)

- 6.19.16 The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty) applicable to Local Authorities. This duty filters through to all those participating in the Planning process.
- 6.19.17 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.
- 6.19.18 It is therefore recommended, that in order to mitigate for loss of hedgerow, a similar length section of new native hedgerow should be incorporated into the development. However, in order to enhance the site for biodiversity, additional hedgerow should be planted, and it is suggested that this forms a part of the boundaries of the new properties, particularly to the north which is likely to be the rear garden boundary.
- 6.19.19 The addition of Swales and Rainwater Garden planting as detailed on Drainage Plan/General Notes HCE Ltd will provide enhanced resources for a range of pollinators and odonata. Planting must be native species wherever possible and must not contain any non-native invasive species which are listed on Schedule 9 (WCA, 1981 as amended)

6.20 REFERENCES

- 6.20.1 Amphibian & Reptile Conservation UK (Sept. 2010) Legislative Protection for Herpetofauna (England & Wales)
- 6.20.2 British Standard (2005) Trees in relation to construction – recommendations BS 5837:2005
- 6.20.3 Crown copyright (1992) Protection of Badgers Act 1992
- 6.20.4 CIEEM (2015) Guidelines for Ecological Report Writing, Chartered Institute of Ecology and Environmental Management, Winchester.
- 6.20.5 CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester
- 6.20.6 DEFRA (2007) Hedgerow Survey Handbook A standard procedure for local surveys in the UK
- 6.20.7 English Nature (2002) Badgers & Development, English Nature.
- 6.20.8 Environment & Heritage Service (2004) Badgers & Development, Environment & Heritage Service Publishing Unit.
- 6.20.9 Hundt L (2012) Bat Surveys, Good Practice Guidelines, Bat Conservation Trust.
- 6.20.10 JNCC (2004) National Vegetation Classification, Field Guide to Woodland, Joint Nature Conservation Committee.
- 6.20.11 National Federation of Badger Groups (2005) Badgers and the Law, NFBG www.badger.org.uk/action/index.html

- 6.20.12 Poland. J & Clement. E (2009) The Vegetative Key to the British Flora, BSBI.
- 6.20.13 Rose, F. (2006) The Wildflower Key (2nd end.), Penguin London.
- 6.20.14 Wales Biodiversity Partnership (2016) Environment Act (Wales), website accessed 10 Dec. 2018.
- 6.20.15 Welsh Assembly Government (WAG 2016). Environment (Wales) Act 2016 Section 7 – list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. Welsh Government, Cardiff

6.21 Reptile Survey & Mitigation Report

- 6.21.1 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.
- 6.21.2 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.
- 6.21.3 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.

6.21.4 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.

6.21.5 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).**

6.21.6 The Report provides Mitigation Measures, however, the low population size Class (less than 5) suggests that very few reptiles may be inhabiting the site, and therefore, very few are likely to be at risk. The recommended mitigation measures will therefore proportionately reflect this.

6.21.7 Habitat Manipulation - It is recommended that a gradual and stepwise reduction in potential reptile habitat to commence before site works start in order to encourage natural reptile dispersion from the site. Removal of any artificial refugia will go some way to reducing site potential.

Reduction in reptile habitat must only take place between March-October, generally understood to be the period when reptiles are active. However, the work must only be carried out on days which are suitable (i.e., suitable temperature (12°C plus), dry, no wind) and so the on-call ecologist is best placed to determine if the conditions are optimal.

Firstly, all potential reptile refugia currently on site are to be carefully removed by hand e.g., brash piles, discarded materials/rubbish etc.

The above step is followed by a gradual reduction of grassland area (one third of the area at a time), in a direction (potentially North Westerly, to be agreed) as follows:

- Reduce (using handheld machinery) height of vegetation to 30 cm. Remove arisings.
- Leave undisturbed for 4-5 days.
- Further reduce height of vegetation- to ground level.
- Repeat for each third of the grassland area.
- Maintain grassland at ground level height via regular cutting/strimming or chemical treatment.
- Always remove all cuttings ('arisings') from the site - to prevent them becoming further reptile refugia unless directed to store them in an area of retained habitat as part of mitigation.

All potential refugia must be removed, and grassland reduced to ground level, prior to commencement of any demolition or ground works (including investigative bore holes).

Once removal of refugia and reduction of grassland is complete, and prior to construction works commencing, a suitably qualified ecologist must visit the site in order to check that the habitat manipulation has been undertaken satisfactorily. Temporary Reptile and Amphibian Exclusion fencing will then be erected around the areas of grassland that are to remain for reptiles (to be agreed and marked on site layout plan) which will protect the area from machinery and provide a safe area for reptiles to be moved to.

A destructive search of the site, in the presence of an ecologist, will then be undertaken. The first few centimetres of undisturbed areas of ground will be scraped up with the ecologist present to rescue any individual reptiles found. This will be undertaken during periods of warm and dry weather (when reptiles are likely to be active).

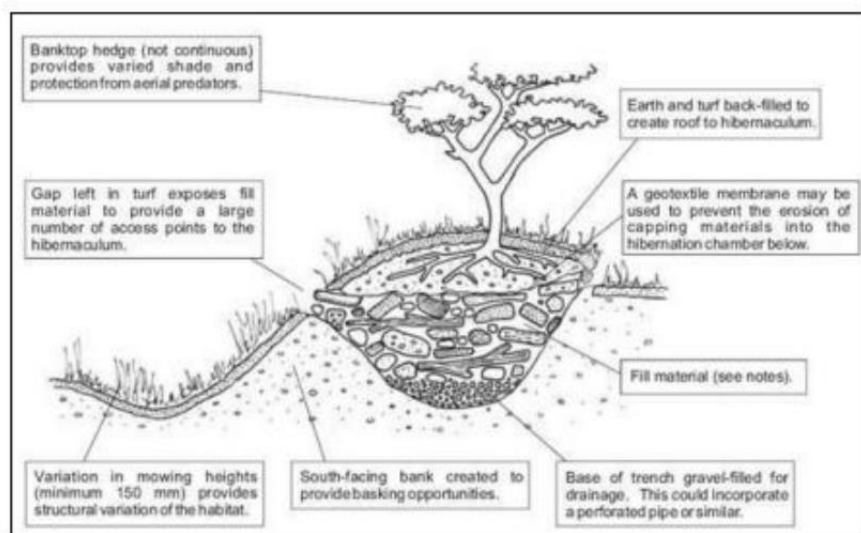
A toolbox talk will be provided to all construction workers.

6.21.8 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.

The preferred hibernacula design where ground conditions allow



Reptile Hibernacula Design

6.22 Grassland Survey Report

6.22.1 A Grassland Survey and Assessment was conducted over the course of one site visit on 13th July 2022. The survey methodology was based on Natural England's Common Standards Monitoring (JNCC, 2009), devised as a method for rapid assessment of SSSIs. This involves 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.

6.22.2 At each point along the structured walk, the following data were recorded:

- All vascular plant species within 1m X 1m quadrat,
- % cover of rye-grass, clovers and creeping buttercup
- % cover of 'weed' species (docks, nettles, thistles (excluding marsh thistle))
- % cover wildflowers
- % cover of scrub and bare ground
- Average sward height
- Any observations of wildlife were also recorded.

6.22.3 The site survey concluded that overall the site supports **a limited diversity of vascular plants, with 26 species recorded** (see Appendix 1 for full species list). As this was not an exhaustive plant survey it is likely numerous other species await finding. 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.** The average species diversity per m² recorded **a score of 7.38, which is significantly lower than the target of 15 (Ty'n Y Caeau has less than half the diversity).** The resultant score was reduced by a small number of poorly scoring quadrats with relatively high bare ground cover, although it should be noted that **only two of the quadrats reached above the target of 15 per sqm** and so these outliers did not have a significant effect on the results.

6.22.4 The percentage cover of wildflowers, excluding 'weed' plants, namely docks, nettle and creeping and spear thistles were recorded in 30 quadrats across the site, following the structured W walk to ascertain if species diversity was more than 15 per sqm.

Average % cover ryegrass, clover and creeping buttercup was recorded **at 2.62%, which is well below the 10% maximum limit** for these species. White clover and creeping buttercup were recorded occasionally with most of the cover occurring alongside the road leading to the onsite house, within the sward however these recordings **were sparse**. Both white clover and creeping buttercup are natural components of the MG1 community, so these results are not of undue concern. **Ryegrass was not recorded on site.**

6.22.5 Average % cover of wildflowers was **recorded at 17.4%, which is 42% less than the target cover of 30%**. Patches of common knapweed (*Centaurea nigra*), common hogweed (*Heracleum spondylium*), and common-bird's-foot-trefoil (*Lotus corniculatus*) made up a large proportion. At the time of survey, the sward was tall and dense, crowding out smaller species. With a diverse management plan in place, it is likely wildflower diversity and coverage would increase.

6.22.6 The Guidelines for the selection of wildlife sites/SINCs for neutral grasslands include all examples of MG4 (meadow foxtail – great burnet grasslands), MG5 (crested dog's-tail – common knapweed grasslands), MG11 (red fescue – creeping bent – silverweed grasslands), MG12 (tall fescue grasslands) and MG13 (creeping bent - marsh foxtail grasslands). The grassland on site has been Classified as MG1 (False-oat grassland) **which does not meet these criteria**. Relatively species-rich examples of other neutral grasslands of any significant extent should also be considered. 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**.

6.22.7 The Grassland Survey and Assessment Report makes a number of recommendations for future maintenance of the areas set aside for grassland management. As grazing is not appropriate, it is possible to mimic the effects by cutting several times a year. To achieve this, it is recommended the majority of cutting take place in early spring and autumn every 2 to 3 weeks to prevent coarse grasses from dominating. While leaving the grassland uncut between mid-May and August will allow the majority of plants to flower and seed, leaving the first cut vegetation in the field for a day or two will preserve the seedbank and encourage a greater range of wildflowers.

6.22.8 A considerable area of grassland will be retained as part of the proposed development, a portion of which should be reserved for the creation of a wildlife area with the aim to create a mix of vegetation heights and a variety of substrates including bare ground, grassland and scrub, this will provide forage, refugia and hibernation opportunities for a range of species. Management of the wildlife area will consist of periodic reduction in scrub and grassland/other vegetation to retain a mosaic of micro-habitats, e.g., bare areas, low vegetation, dense cover (suggest every 2-5yrs). Arisings can be left in piles within the receptor area to create further habitat. The timing of such works must take into consideration nesting birds and hibernating reptiles, therefore should ideally be undertaken between August and September.

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 This chapter of the ES presents an assessment of the potential hydrological impacts of the Proposed Development. Consideration of impacts have been made in the context of the existing site conditions (baseline conditions) and predicted conditions at the completion of the Proposed Development. The need for mitigation measures has been addressed and the potential impacts identified.

8.1.2 HCE Ltd were instructed to prepare a Drainage Strategy Report in respect of the construction of the Proposed Development. The purposed 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.

8.2.2 In accordance with guidance contained within Tan 15, Figure 1, further flood risks and justification tests are not required to sites located within Zone A and sound drainage design incorporating aspects of Sustainable Urban Drainage Systems (SuDS) is applicable to the development.

8.2.3 Planning Policy and Technical Advice Note (TAN) 15 lists six sources of flooding which need to be considered in the assessment of flood risk and the probability of flooding at the Site Location. Figure 23 below is an extract from NRW's Development Advice Map for the locality.

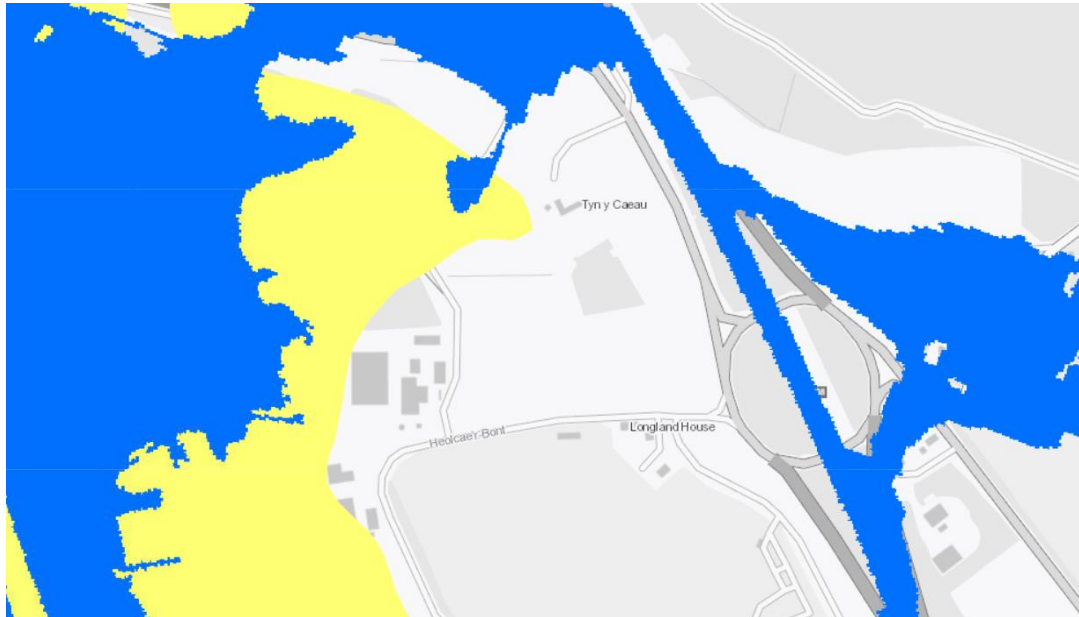


Figure 23 – NRW DAM for Margam

1. **Flooding from Rivers or Fluvial**

NRW surface water flood risk maps indicate that the site does not suffer from river or fluvial flooding.

2. **Flooding from the Sea or Tidal Flooding**

NRW surface water flood risk maps indicate that the site does not suffer from sea or tidal flooding.

3. **Flooding from Land**

NRW surface water flood risk maps indicate that the site does not suffer from surface water flooding.

4. **Flooding from Groundwater**

No groundwater shallower than 3m depth was observed during the investigations by HCE Ltd.

5. **Flooding from Sewers**

Not applicable due to foul and surface water management within drainage design

6. **Flooding from Reservoirs, Canals and other Artificial Sources**

NRW surface water flood risk maps indicate that the site does not suffer from reservoir, canal or other artificial sources of flooding.

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.

8.3.2 The existing foul/combined drainage serving the existing property and ancillary buildings is located in the driveway fronting the building. A CCTV survey will be undertaken to confirm the condition and discharge outfall of the existing building drainage.

Surface Water Drainage

8.3.3 It is understood that the existing storm water system serving the existing building is a combination of being connected to the existing building's drainage system and discharging to the ground locally where it is assumed infiltration occurs.

8.3.4 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. Figure 24 illustrates the proposed site drainage scheme.



Figure 24 – proposed drainage scheme at Tyn-y-Caeau

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 Due to the proposed access road and parking areas being used primarily for HGV class vehicles, it is envisaged that an impermeable dense tarmacadam surfacing, and road construction will be utilised to ensure sufficient robustness is achieved for the anticipated loading.
- 8.4.5 Infiltration testing has confirmed that source control is achievable over the majority of the site.
- 8.4.6 The SUDs management train will be utilised to capture, treat and control surface water run-off prior to infiltration and ground water recharge.
- 8.4.7 Hydraulic control of the storm water run-off will be management through a combination of multiple SUDs devices such as swales, rainwater gardens, filter strips, attenuation pond and permeable paving. Attenuation and infiltration will be designed to accommodate flows from 1:100-year return period critical storm with an allowance of +30% for climate change.
- 8.4.8 Exceedance will be assessed during detailed design.
- 8.4.9 Water quality will be improved through bioremediation by using a combination of multiple SUDs devices such as swales, rainwater gardens, filter strips, attenuation pond and permeable paving to treat surface water run-off from hard-landscaped areas and trap pollutants, silt and grit etc.
- 8.4.10 Rainwater gardens will be used to capture surface water run-off from impermeable parking areas to both trap and treat pollutants and attenuate the first 5mm of run-off. The rainwater gardens will then direct water below ground to soakaways where ground water re-charge will occur. The rainwater gardens offer an attractive aesthetic

setting which will enhance the amenity space and improve biodiversity of flora and fauna on site by attracting insect and invertebrates.

- 8.4.11 The main access road run-off will be dealt with via a grassed swale running the majority of the length. The shallow swale will capture run-off pollutants and convey water down towards the attenuation pond located in the North East corner of the site. The exact location will be confirmed once the utility locations and depths are known. An infiltration filter strip will be incorporated beneath the shallow swale which will help improve water quality due to further treatment occurring prior to infiltration. Any exceedance will drain to the attenuation pond where further treatment will occur.
- 8.4.12 The attenuation pond located in the North East 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. The pond also offers a very good opportunity to significantly improve amenity and biodiversity by providing a suitable wetland habitat and refuge for insects, invertebrates, small mammals and birds. Any exceedance from the pond will be discharged to a soakaway for infiltration.
- 8.4.13 Permeable block paving will be utilised immediately around the building as shown on the proposed plan. The permeable paving will be used to both attenuate surface water and to improve water quality by trapping pollutants, silt and grit etc. Further water quality improvement for the development is proposed by the inclusion of a rainwater gardens adjacent to the building prior to infiltration.
- 8.4.14 It is considered that the site follows the guidelines of the CIRIA SUDS Manual C753 and achieves all four pillars of the SUDS design principles.

9.0 GEOLOGICAL CONDITIONS

9.1 INTRODUCTION

9.1.1 This chapter of the ES presents and addresses the potential impact of the Proposed Development on the existing ground contamination. Consideration of impacts associated with potentially contaminated soils.

9.1.2 Blandford Consulting were instructed to prepare a Coal Mining Risk Assessment in respect of the construction of the Proposed Development. The assessment was successful in giving the baseline geological conditions and mining history of the Site and the immediately surrounding area. 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. The most recently published geological sheet at the 1:10,560 scale (Sheet SS 78 NE) shows the conjectural outcrop of the Two Feet Nine Seam to pass through the Site and the conjectural outcrop of the Upper Four Feet Seam to pass through the south-west corner of the site as shown below:



Figure 24 – Geology Plan

- 9.2.2 A number of other conjectural outcrops are present to the south of the Site, all the outcrops have an east-south-easterly trend. The regional dip of the coal measures is northerly such that the published geological sheet indicates that the Two Feet Nine and Upper Four Feet Seams variously underlie parts of the Site at shallow depths. The Lower Four Feet is estimated to be at a depth below the Site that is greater than 30m.
- 9.2.3 Borehole records held by The British Geological Survey (BGS) include those of two deep boreholes drilled close to the south-west corner of the Site, Margam 1 and Morfa 1. Each of the two boreholes prove that there are no coal seams at shallow depths that are thick enough to have supported underground mining operations as shown below:



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9.2.5 The published geological sheet indicates that the coal measures are overlain with locally derived soils at the northern corner of the Site and otherwise by deposits of sand and gravel; we have no detailed information relating to the engineering properties or thickness of the soils at the Site.

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

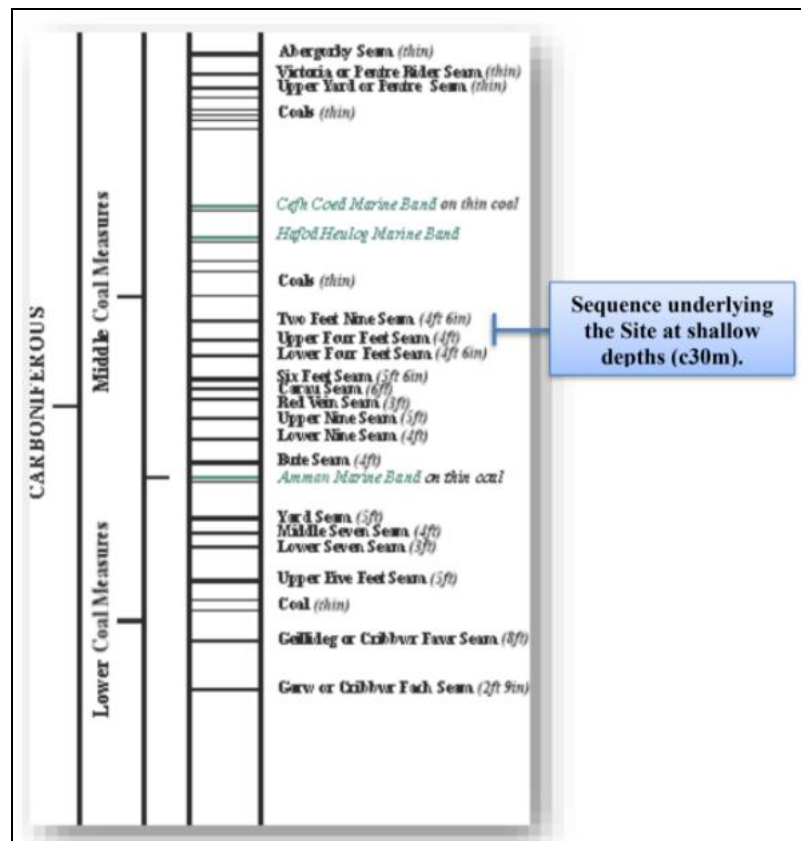
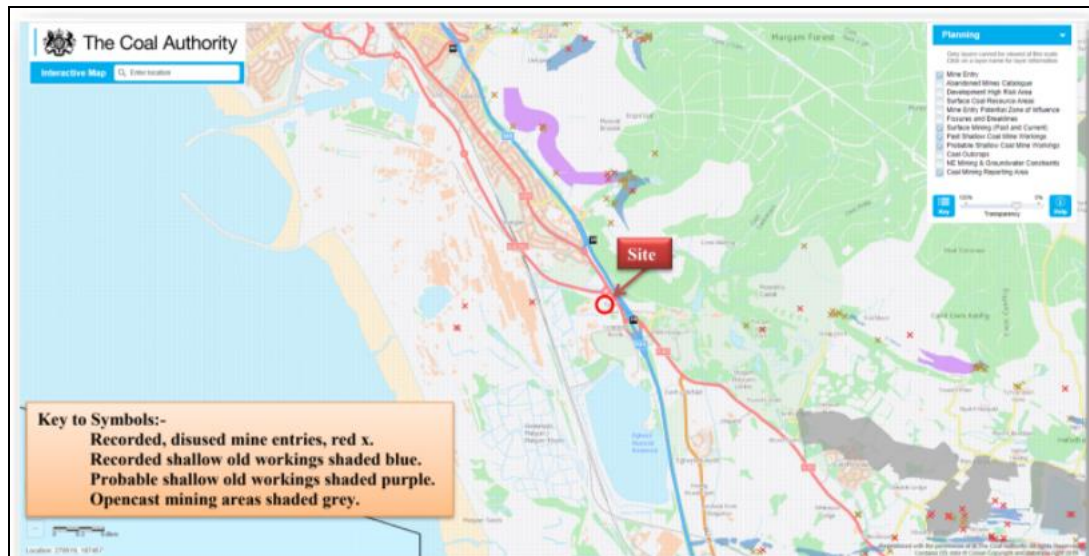


Figure 27 – Indicative Stratigraphic Column

9.3 MINING HISTORY

9.3.1 The area has been subject to fairly extensive coal mining operations dating back to the nineteenth century. Coal seams were accessed by adits driven into the mining horizons near their outcrops supplemented by air shafts; larger shafts gave access to deeper lying coal seams. Mining in the immediate area around the Site was prosecuted from deep mines. The Coal Authority's interactive map also shows that

there are no recorded workings underlying the Site, shallow or otherwise, and no 'probable' shallow mine workings in the vicinity of the Site as shown below:



**Figure 28 – Print-out of The Coal Authority's Interactive Map
(Accessed 20th May 2020)**

9.3.2 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.

9.4 MINE GASES

9.4.1 When coal is mined, gases, including methane, are released and may accumulate in the voids left by the mining operations. These gases may later vent to atmosphere or be displaced by mine water flooding the mining voids and forced to the surface. Mine gases may, in certain circumstances, accumulate within buildings and pose a risk of asphyxiation, fire or explosion. A number of studies of the old workings across South Wales and dating back to the mid to late twentieth century have shown that there is little risk from mine gases. This may be as a result of the nature of the coal seams or because the shallow old workings have vented most of the min gases to atmosphere

or is as a result of the combination of the two. There are no shallow mine workings underlying the Site that could act as a source for mine gases and The Coal Authority has no record of a mine gas emission at the Site that has required action.

9.5 RADON GAS

- 9.5.1 Recent government guidelines recommended that the potential for Radon gas should be assessed for all new developments; the advice has been implemented by obtaining from Public Health England a Radon report for Tyn y Caeau; the report identifies that the Site is not in a Radon affected area.

9.6 DISCUSSION AND RECOMMENDATIONS

Solid Geology

- 9.6.1 There are no issues relating to the solid geology of the Site that would affect the structural integrity of the proposed development and no further action is required in this respect.

Mining History

Mine Workings

- 9.6.2 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. The records of two boreholes drilled close to the Site and held by BGS found that there are no coal seams at shallow depths that are thick enough to have supported underground mining operations. 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.

Mine Entries

- 9.6.3 There are no recorded mine entries within the Site or within 20 metres of it. The risk of an unrecorded mine entry being present on the site cannot be entirely discounted given the mining history of the district. However, it is extremely unlikely in this case

because there is no thick coal seam outcrop present on the Site and no coal seam beneath the Site at shallow depths that might have been the subject of a mining operation. Further, there are very thick superficial deposits on the Site which would have made the excavation of an adit very onerous with a large excavation for which there is no evidence on historic Ordnance Survey plans. However, it would be prudent to monitor excavations on the Site and if anything, unusual is observed then the excavation work should be stopped immediately, and advice sought from a Chartered Geologist or from The Coal Authority.

Mine Gases

- 9.6.4 There are no shallow mine workings underlying the Site that could act as a source of mine gases and The Coal Authority has no record of a mine gas emission at the Site that has required action.

Radon Gas

- 9.6.5 A Radon report obtained from Public Health England identified that the Site lies within an area that is not affected by Radon gas. The appropriate response for building control purposes is NONE.

Summary of Risk Assessment & Recommendations

- 9.6.6 In so far as the solid geology and mining history of the area is concerned, no particular measures are required in the design and construction of foundations and shallow spread foundations will be appropriate. This advice is given subject to an assessment of the soil conditions of the Site, which may affect the choice of foundations. The risk of a disused mine entry being present on the Site is extremely low to negligible but cannot be entirely dismissed. Excavation work on the Site should be carefully monitored for any evidence of a disused mine entry and if any unusual features are observed then the work must be stopped immediately, and advice sought from a Chartered Geologist or from The Coal Authority.
- 9.6.7 No Radon protection measures are necessary.

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 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 Having carefully considered the information provided within the PAC, 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. The “Cof Cymru” website has been assessed and the results are shown at Figure 29 below.

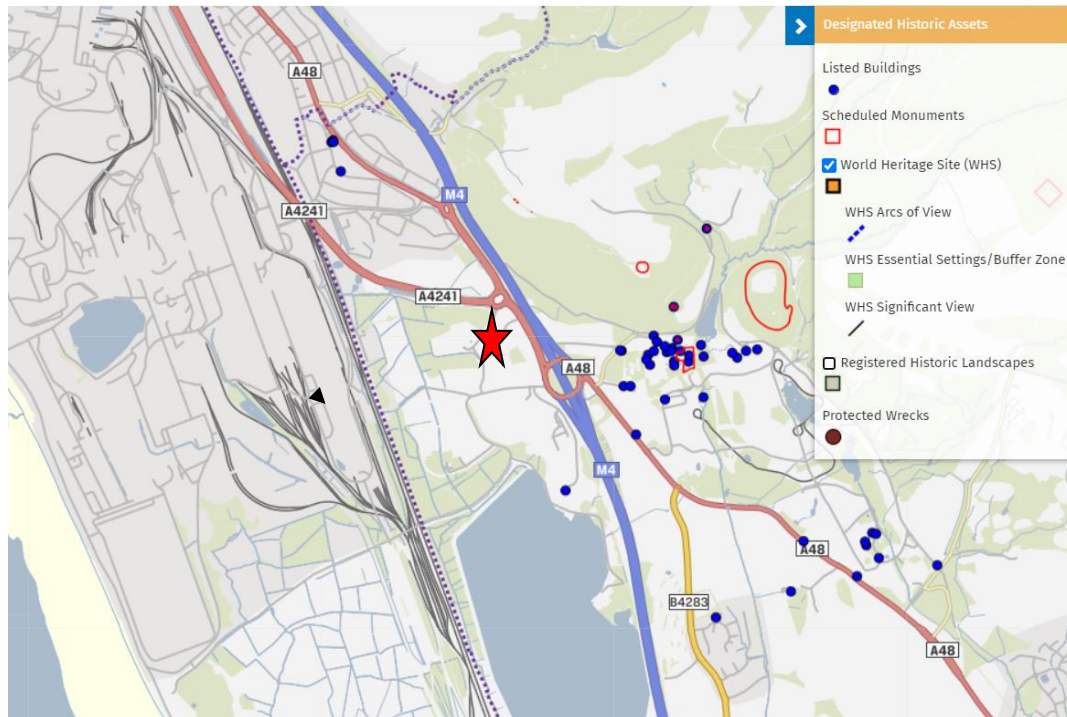


Figure 29 – Cof Cymru Assets

10.4 LANDSCAPE & VISUAL IMPACT ASSESSMENT

10.4.1 The Inspector's "Assessment of Environmental Statement" (December 2021) indicates that the ES *"should include a systematic and objective assessment, utilising methodology established by professional best practice, which describes the likely significant effects of the development on the environment having regard to the landscape and visual impacts of the development during construction and operation. The assessment should identify baseline landscape and visual receptors; assess the host landscape and its sensitivity to change; and describe the nature and magnitude of change at representative and other key viewpoints, the sensitivity to change of the receptors concerned and the resulting significance of any change. The assessment should describe the methodologies used to obtain and verify information, any difficulties encountered in compiling the relevant information, and any mitigation measures during the construction and operation of the development."*

10.4.2 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 since publication of the original ES 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.**

10.4.3 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.** It has been prepared to "best practice standards" as required by the Inspector in his summing up of previous versions of an ES for the development at this site.

10.4.4 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. Figure 30 below provides an extract of the location plan of the site and Figure 31 an extract of the proposed site layout plan where the proximity to the Tyn-y-Caeau site is highlighted.

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 scheme nevertheless is accompanied by a significant raft and bundle of supporting documentation with that scheme, which is also accompanied by an Environmental Statement. It displays a significant commitment by the Applicants, Sandvik Osprey Limited, as to the desire and will to develop the allocated site. Should planning permission be forthcoming, 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.

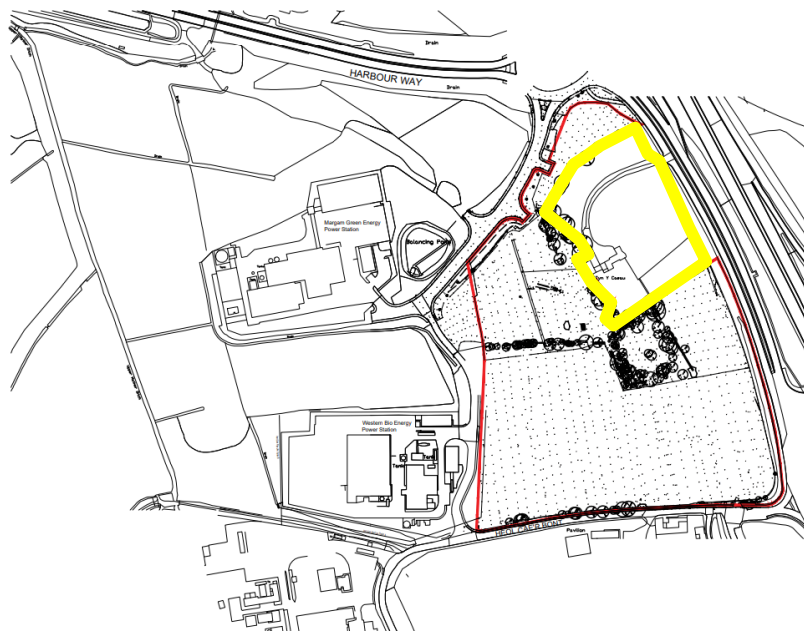


Figure 30 – application boundary of neighbouring site at Margam with Tyn-y-Caeau site coloured yellow as identification

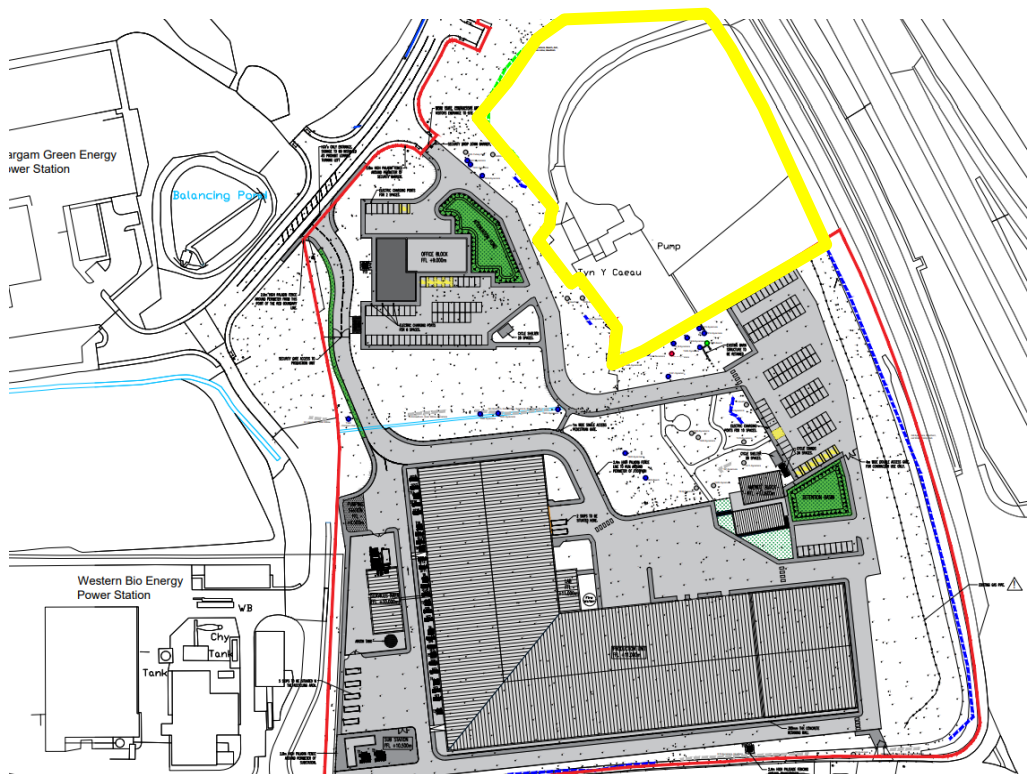


Figure 31 – proposed site layout plan for metals processing plant at Margam with Tyn-y-Caeau site coloured yellow as identification

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. When compared to the existing buildings at Tyn-y-Caeau, that property is set at a corresponding existing contour level of 11.0 metres, however the established house at Tyn-y-Caeau rises a mere 8.0 metres, and thus the existing roof level is set at some 19.0m AOD. The existing buildings at Tyn-y-caeau are set at considerably lower levels than the proposed massing of new warehouse buildings proposed at the neighbouring site, in fact by some 8.5 metres, which is a difference as much and more than the existing Tyn-y-Caeau house itself. 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 again 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

11.1.1 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.

11.1.2 The Inspector appointed to provide an "Assessment of Environmental Statement" (December 2021) was opined that *"The ES should include an assessment that describes the likely significant effects of the development on the environment deriving from the vulnerability to the risk of a major accident involving nearby hazardous installations. The assessment should identify and take account of the risks to people occupying the development during construction and operation, include the baseline scenario and predicted risks. The assessment should describe the methodologies used to obtain and verify information, any difficulties encountered in compiling the relevant information, and any mitigation measures."*

11.1.3 The Appellant has evidence that a 2005 planning permission for the use of the property as a Guest House remains extant, and therefore the site benefits from a fallback position that should be given considerable weight in the decision-making process of considering whether planning permission should be granted for a Truck Stop to be formulated at Tyn-y-Caeau.

11.2 HEALTH AND SAFETY EXECUTIVE INTERPRETATION OF PROPOSALS

11.2.1 HSE Consultation zones show two hazardous installations in the vicinity of the appeal site, namely a high-pressure gas pipeline and BOC Plant to the south-west and Heol Cae'r Bont. These are reproduced below at Figures 31 and 32, with Tyn-y-caeau highlighted by a red arrow.

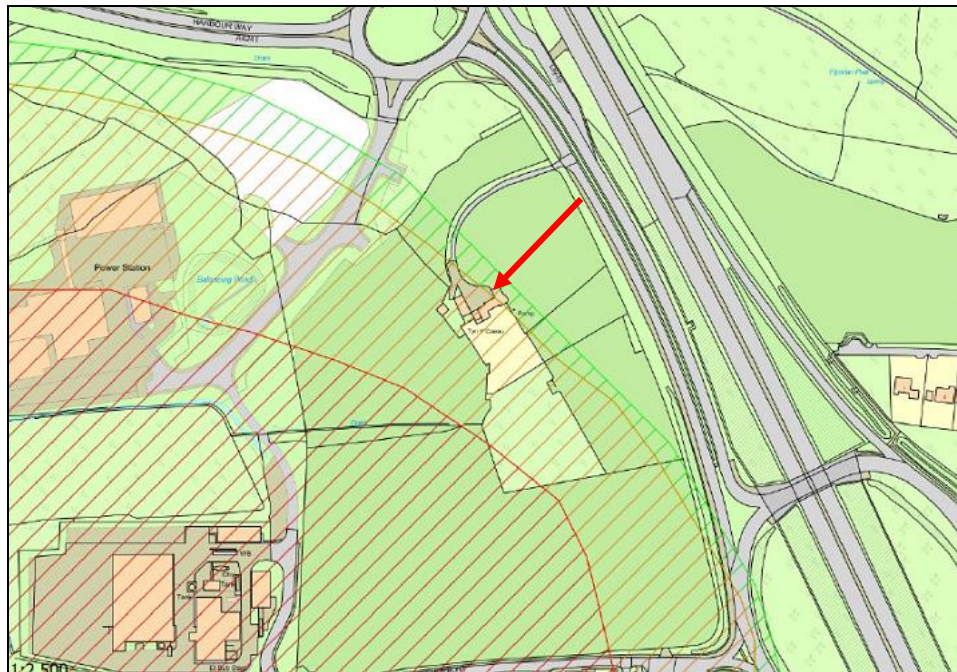


Figure 31 – HSE Consultation Zones application to BOC Plant at Margam

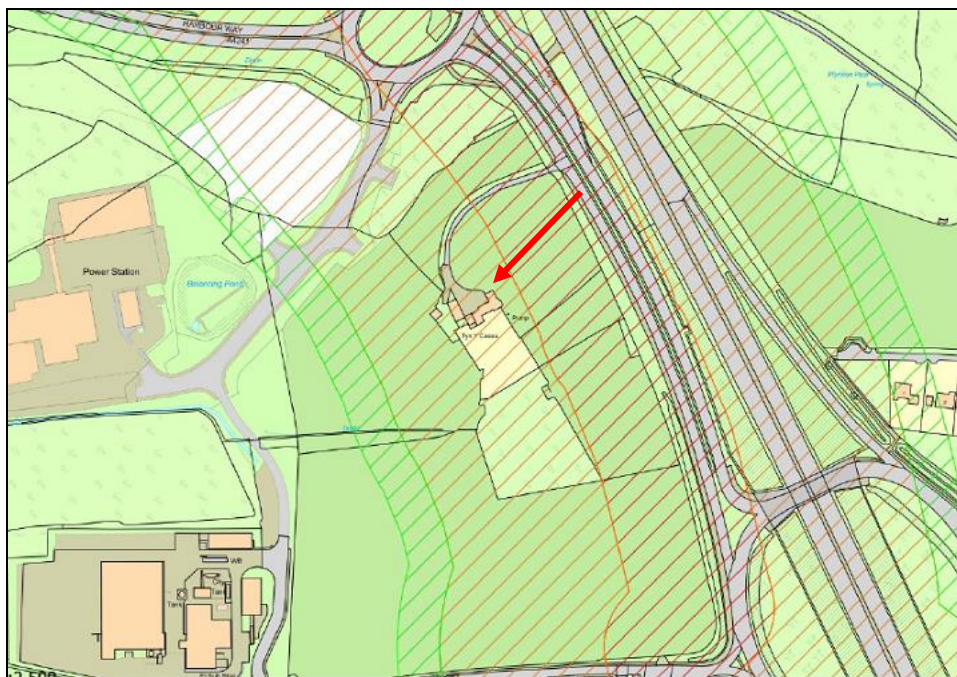


Figure 32 – HSE Consultation Zones applicable to high pressure pipeline

11.2.2 The zones indicate that in the case of the BOC Plant, the two buildings at Tyn-y-Caeau are situated within the middle zone (orange hatching), with a slender outer

zone (green hatching) 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.

11.2.3 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 (red hatching), whilst buildings fall into the middle zone (orange hatching).

11.2.4 We refer to HSE's published guidance on the evaluation of development proposals in relation to identified hazardous installations. 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." Paragraph 35 of the Guidance provides a "Decision Matrix" and is used to provide HSE advice. It is reproduced below.

Level of Sensitivity	Development in Inner Zone	Development in Middle Zone	Development in Outer Zone
1	DAA	DAA	DAA
2	AA	DAA	DAA
3	AA	AA	DAA
4	AA	AA	AA

DAA = Don't Advise Against development

AA = Advise Against development

11.2.5 Paragraph 42 of the Guidance examines each development type and defines which level of sensitivity should be applied when examining proposals which fall into each of the three consultation zones. For guest houses, motels and hotels, it states:

DT2.2 – HOTEL / HOSTEL / HOLIDAY ACCOMMODATION	Hotels, motels, guest houses, hostels, youth hostels, holiday camps, holiday homes, halls of residence, dormitories, accommodation centres, holiday caravan sites, camping sites	Accommodation up to 100 beds or 33 caravan / tent pitches – Level 2	Development where people are temporarily resident. It may be difficult to organise people in the event of an emergency
	Exclusions		
	Smaller – guest houses, hostels, youth	DT2.2 x1 Accommodation of less	Minimal increase in numbers at risk
	hostels, holiday homes, halls of residence, dormitories, holiday caravan sites, camping sites	than 10 beds or 3 caravan / tent pitches – Level 1	
	Larger – hotels, motels, hostels youth hostels, holiday camps, holiday homes, halls of residence, dormitories, holiday caravan sites, camping sites	DT2.2 x2 Accommodation of more than 100 beds or 33 caravan / tent pitches – Level 3	Substantial increase in numbers at risk

11.2.6 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.

11.2.7 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 advice is “**Don’t Advise Against Development.**”

11.3 CONCLUSION AND ASSESSMENT

11.3.1 In conclusion then it is considered that the proposed development comprises of a Level 2 development taking place within middle consultation zones, and accordingly the HSE advice is not to object against such proposals.

11.3.2 The “Assessment of Environmental Assessment” (December 2021) requires the Appellant to demonstrate “the vulnerability to the risk of a major accident.” 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 INTRODUCTION

This chapter of the ES provides a summary of the residual impacts associated with the Proposed Development, defined as those impacts that remain following implementation of the mitigation measures presented in the technical chapters of this ES.

12.2 BACKGROUND

12.2.1 The Environmental Impact Assessment (EIA) process for the Proposed Development has been undertaken concurrently with the design process and as such, many measures have already been undertaken to eliminate adverse environmental impacts.

12.2.2 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. Each issue is commented on, and formal conclusions reached. Based on the evidence reproduced within this Statement.

The development is likely to have significant effects in regard to transport, due to its location and a failure to incorporate the correct design standards to minimise the risk of traffic collision. The proposal is not supported by sufficient evidence to rule out significant environmental effects in relation to ecology, and protected species which may be present on site. In addition, the presence of major hazards in the area means that the development could constitute a risk of harm to people using it. I therefore consider that the development is likely to have significant effects on the environment.

12.3 ECOLOGICAL IMPACTS

12.3.1 Within this ES, the focus has been to provide full technical detail as to the existing ecological status of the site, both in terms of its proximity to any designations of international, national or regional ecological importance, and the current condition of the existing buildings and grounds of the site and their propensity to harbour any protected species habitats. In this regard, a Preliminary Ecological Assessment has been carried out, which involved a detailed search for evidence of such habitats, and

particular emphasis was made on examining existing buildings and trees for use by bats. The Bat Survey is detailed, compiled using Anabat data recording equipment, multiple on-site surveyors and undertaken on multiple dawn and dusk times.

12.3.2 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.

12.3.3 The Preliminary Ecological Assessment has not discovered any nesting, setts or other permanent protected species refugia within the application site. Nevertheless, the conclusions and recommendations apply a precautionary approach, in line with advice in Technical Advice Note 5 “Nature Conservation and Planning”. 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.

12.3.4 Throughout the Pre-Application Consultation and formal planning application before the Local Planning Authority, the formal consultation responses of Natural Resources Wales have been sought. It has culminated in final consultation response in October 2020 and January 2021, where NRW are satisfied that the level of ecological surveying that has taken place for both flora and fauna and protected species is sufficient for them not to raise objections and recommend the imposition of appropriate conditions.

12.3.5 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.

12.4 HIGHWAY IMPACTS

12.4.1 The ES is now supported by a Transport Assessment as recommended by the Inspector conducting an Assessment of the ES in May 2021. The TS 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”.

12.4.2 The proposals seek to utilise the existing vehicle driveway at Tyn-y-Caeau to provide a circulatory route for all visiting customers and employed staff. Parking is concentrated for lighter vehicles about the existing house curtilage, whilst HGV parking is to be formed upon the south-eastern third of the site, in dedicated truck parking bays. Parking and turning movements of HGVs have been accounted for and illustrated in graphic and plan formats.

12.4.3 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 has been brought forward within this ES to elaborate upon the effects upon highway safety upon the A48 and conclude that the proposals meet both National and Local Highway standards and guidance.

12.5 POTENTIAL FOR RISKS TO HEALTH & SAFETY

- 12.5.1 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 within a consultation zone imposed by the Health & Safety Executive, being in proximity to the BOC plant at Margam. This revised ES has been formulated since the discovery of a 2005 planning permission, which proposed works to extend and refurbish a detached former studio apartment block. Those works were completed and issued a Completion Certificate under Building Regulations.
- 12.5.2 The Appellants intend to complete the refurbishment of the Guest House and use the property to its full potential in line with the provisions of that planning permission. The permitted Guest House involved introducing overnight guests to the former dwellinghouse and extended annexe block, and therefore the proposals under this revised application will be no different, albeit that effective HGV parking and highway improvements are proposed.
- 12.5.3 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.
- 12.5.4 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.

12.5.5 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.

12.6 CONCLUSIONS

12.6.1 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.

12.6.2 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. Such matters have been examined under scrutiny of NRW who agree with such findings.

12.6.3 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.

12.6.4 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.

REFERENCE LIST OF SOURCES

- “Design & Access Statement” – Evans Banks Planning – August 2022
- “Transport Statement” – LvW Highways – October 2021
- “Drainage Strategy Report” – HCE Consulting – July 2020
- “Tree Survey Report” – RTAC Surveys – October 2021
- “Coal Mining Risk Assessment” – Blandford Consulting – July 2020
- “Pre-Project Risk Assessment” – Silk Services – January 2022
- “Landscape & Visual Impact Assessment” – Evans Banks Planning – August 2022
- “Preliminary Ecological Assessment” – I & G Ecological Consultants – May 2020
- “Dormice Mitigation Report” - I & G Ecological Consultants – January 2022
- “Bat Survey Report” - I & G Ecological Consultants – September 2022
- “Bat Tree Report” - I & G Ecological Consultants – December 2020
- “Grassland Survey and Assessment” - I & G Ecological Consultants – July 2022
- “Reptile Survey and Assessment” - I & G Ecological Consultants – July 2022
- “Topographic Survey” – DLG Surveys – January 2020