

EIA Screening Request

North Site Reservoir, Coed Darcy

EIA Screening Report

North Site Reservoir, Coed Darcy



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1. Introduction

- 1.1 Savills (UK) Ltd has prepared this statement on behalf of St Modwen Developments (the 'Applicant'). The statement informs a request for an Environmental Impact Assessment ('EIA') screening opinion from Neath Port Talbot County Borough Council (NPTCBC) to determine whether the proposed discontinuation of the North Site reservoir and associated engineering works at Llandarcy, ('The Project') constitutes Environmental Impact Assessment development.
- 1.2 This EIA Screening Request seeks to screen The Project which is for the discontinuance of the North Site Reservoir ('NSR') and associated works.
- 1.3 This request for a screening opinion is made under the *Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017* (the 'EIA Regulations'). In accordance with Regulation 6(2) of the EIA Regulations, this report contains:
- A site plan;
 - A description of the development (including a description of the physical characteristics of the development and a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected);
 - A description of the aspects of the environment likely to be significantly affected by the development; and
 - Where information is available, a description of any likely significant effects of the proposed developments on the environment.

2. The Site and the Proposed Development

The Site

- 2.1.0 The site, Llandarcy reservoir or the North Site Reservoir (NSR), extends 10.21 hectares in area and is located to the west of the M4 and to the north of Coed Darcy. The reservoir is accessed off the B4290 via a single track road which runs parallel to the M4.
- 2.1.1 A branch railway line is located to the south west; beyond this feature is the Crymlyn Bog, which is a Ramsar Site, Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), and National Nature Reserve (NNR).
- 2.1.2 A mixed use allocation at Coed Darcy is located beyond the railway line to the south. Residential housing is situated to the north beyond the reservoir and the M4 motorway is to the east.
- 2.1.3 The Site comprises a large artificial waterbody constructed during the operation of the former Llandarcy Oil Refinery. It is understood to have been primarily used to store water for use in firefighting. There is no longer a requirement for the reservoir within the wider proposed Coed Darcy development.
- 2.1.4 The Site is capable of holding 300,000 m3 of impounded water and is consequently registered as a large reservoir within the control of the Reservoirs Act 1975. The reservoir has been designated by Natural Resource Wales (NRW) as 'high risk' owing to the assessed risk to life should the dam fail.
- 2.1.5 Following a review of the Council's LDP Interactive Policy Maps, the site is not subject to any specific designations.
- 2.1.6 Refer to **Appendix A** for the site location plan.

- 2.1.7 There are no known heritage assets within the site and no environmental designations. However, it is noted that the aforementioned Crymlyn Bog SSSI lies to the south west of the site.
- 2.1.8 The site is within Flood Zone 3 (which carries a high risk of flooding from surface water and small watercourses). The area directly to the west of the reservoir is at risk of flooding from the reservoir.
- 2.1.9 The Local Planning Authority's (LPA) website identifies one relevant planning application for the site and numerous applications for the adjacent site. These are detailed in the table below.

Application Site			
Reference	Description	Decision	Date
P2005/1088	Proposed making of a revocation of Hazardous Substances Consent Order.	Approved	07/07/2005
Adjacent Site (partial planning history only)			
Reference	Description	Decision	Date
P2005/0393	Outline application for an urban village comprising approx.4,000 dwellings, 41,200sq m of B1 business uses; up to 3,800 sq m of retail (gross) and 8,000 sq m of other commercial, education, community facilities, highways, drainage, services, infrastructure, car parking and landscaping.	Approved	08/02/2008
P2019/5574	Application under S106A of the Town and Country Planning Act (TCPA) 1990 (as amended) to Modify the Section 106 agreement including but not limited to the delivery of strategic infrastructure including southern access road and strategic link road, schools and community facilities, affordable housing and M4 junction improvements.	Awaiting decision	N/A
P2020/0270	Details Pursuant to Condition 22 (Surface Water Drainage Strategy Catchments 2, 3, 4 and 5) of Outline Planning Permission P2005/0393.	Awaiting decision	N/A
P2021/1193	Outline planning application, with all matters reserved except for strategic access, for residential uses (C2 & C3 use class), including land For education (D1 use class) with associated public open space, commercial uses (A1, A2, A3, B1, D1 & D2), commercial/employment (B2 & B8) uses, public open space, highway works, sustainable drainage, ecological mitigation and enhancement, landscaping, ground remediation, and associated engineering and infrastructure works.	Awaiting decision	N/A

Proposed Development

Permitted Development Rights

- 2.1.10 Schedule 2, Part 17, Class E of the Town and Country Planning (General Permitted Development) Order 1995 permits statutory undertakers to complete specific water or hydraulic power undertakings without the need for planning permission. The permitted development rights extend to the following development:

*'(a) development not above ground level required in connection with the supply of water or for conserving, redistribution or augmenting water resources, or for the conveyance of water treatment sludge,
(b) development in, on or under any watercourse and required in connection with the improvement or maintenance of that watercourse,
(c) the provision of a building. Plant, machinery or apparatus in, on, over or under land for the purpose of surveying or investigation,
(d) the maintenance, improvement or repair of works for measuring the flow in any watercourse or channel,
(e) the installation in a water distribution system of a booster station, valve house, meter or switch-gear house,
(f) any works authorised by or required in connection with an order made under section 73 of the Water Resources Act 1991 (10) (power to make ordinary and emergency drought orders),
(g) any other development, in, on, over or under operational land other than the provision of a building but including the extension or alteration of a building'.*

- 2.1.11 In this instance, the Reservoirs Act 1975 (later amended in 1991) defines the Applicant as the 'Statutory Undertaker' so the permitted development rights extend to works that the Applicant, St. Modwen, could feasibly complete. However, the scope of the works associated with the Proposed Development, which seeks to discontinue the reservoir, goes beyond the scope of what is permissible under the scenarios defined within permitted development right, as set out above.

Need for the Proposed Development

- 2.1.12 Currently, the Site is capable of holding 300,000 m³ of impounded water and is registered as a 'large reservoir' within the control of the Reservoirs Act 1975. As an operational reservoir, there are legal obligations in place to ensure appropriate maintenance and repair of the NSR, governed by Natural Resource Wales (NRW). The reservoir is designated by Natural Resource Wales (NRW) as 'high risk' owing to the assessed risk to life should the dam fail. In accordance with the Reservoirs Act 1995, there is a legal requirement for its existing condition to be improved in order to satisfy NRW that it is safe. This is the principal purpose of making the application.
- 2.1.13 The NSR is no longer required and discontinuance of it is sought. This will result in betterment to the scope of works that St Modwen, as Statutory Undertaker, is required to complete for the reservoir to meet favourable status within the definition of the Reservoirs Act 1995. To achieve discontinuance, the Proposed Development effectively requires the NSR to be permanently modified, such that it is no longer capable of impounding a volume of water above 10,000m³.
- 2.1.14 St. Modwen is undertaking these works in their capacity as 'Undertaker' and at their cost. A consequence of the works will be to take St. Modwen's Title out of water and thereby enable it to relinquish its role as Undertaker. The works will also terminate St. Modwen's involvement with the land under Coombe Tennant's Title and ensure that Coombe Tennant does not inherit an obligation to take up the role of Undertaker on their land. The discontinuance of the reservoir is therefore driven by the redundancy of the reservoir and its high risk status. In discontinuing the reservoir, this will fulfil the legal obligation on the part of St. Modwen to either remove the reservoir altogether thereby removing the risk currently presented by the reservoir. The Site will be restored to rough pasture, inclusive of any historic surface water easements.

Proposed Engineering Works

- 2.1.15 The Proposed Development comprises a series of engineering works which will modify the NSR in such a manner that it is no longer capable of impounding a volume of water equal or above 10,000m³. The proposals therefore seek the removal of the reservoir dam embankment which forms the western bank of the NSR waterbody.

- 2.1.16 With the exception of modification (i.e. substantial removal) of the grassed embankment (the reservoir dam removal), all other works proposed will be limited to the confines of the existing NSR basin. This includes:
- The intention to work with NRW on the basis of statistically based industry standards to achieve satisfactory water and soil quality standards; and
 - Works to encourage restoration of the pre-existing land use comprising rough pasture with a watercourse flowing down the valley, in consultation with NRW.
- 2.1.17 The proposals may include small water attenuation features and ponds along the valley axis, if this is required by NRW. The proposals will reflect the alignment and functionality of the historic water course that traversed the former area of the NSR before discharging into the Crymlyn Bog via a pre-existing culvert beneath the railway line. Water from the NSR is currently pumped to a consented outfall. On completion of the works, flows will be reinstated to the stream in a phased manner. It is anticipated this will happen following a period of quality monitoring, subject to NRW guidance.

Planning Policy Context

The Development Plan

- 2.1.18 The Development Plan so far as it relates to the project site comprises:
- Adopted NPTCBCB Local Development Plan (LDP) 2011-2026 (adopted January 2016)
- 2.1.19 Key local planning policy considerations from the Development Plan include the policies listed below. However, these generally refer to development of the land, whereas the proposals simply seek to return the land to its original condition prior to the creation of the reservoir, and so the planning policies are not entirely relevant.
- 2.1.20 The principal policy relevant to the development is Policy S4 (infrastructure) which expects development to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there is no detrimental effects to the area and community.
- 2.1.21 There are several policies that relate to environmental matters that are relevant to the proposals, including: policy SP15 (Biodiversity and Geodiversity); policy SP16 (Environmental Protected); Policy EN6 (Important Biodiversity and Geodiversity Sites); Policy EN7 (Important Natural Features); Policy EN8 (Pollution and Land Stability). The general emphasis of these policies is to ensure that important habitats, species and sites of geological interests, and natural resources (such as air, water and ground quality and the environment generally) are protected, conserved and where possible enhanced or improved. In the case of development that may impact on Sites of Interest for Nature Conservation (SINCs), Policy EN6 permits development where it would conserve and where possible enhance the natural heritage importance of the site or the development could not reasonably be located elsewhere, and the benefits of the development would outweigh the natural heritage importance of the site. Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.

3 EIA Screening

Introduction

- 3.1.0 In determining whether the Proposed Development constitutes EIA development, consideration should firstly be given to the following:
- If the proposed development is of a type listed in Schedule 1 of the EIA Regulations (for which an Environmental Statement is required in every case);
 - If not, whether it is listed in Schedule 2 of the EIA Regulations (for which an EIA is only required if

the proposal is likely to give rise to 'significant environmental effects').

3.1.1 Where the development is listed in Schedule 2, the following considerations should be made:

- Is it located within or partly within a sensitive area;
- Does it meet any of the relevant thresholds and criteria set out in Schedule 2 of the EIA Regulations; and/or
- Would it lead to likely significant effects on the environment?

3.1.2 These points are explored further in this section with reference to the EIA Regulations.

Schedule 1 Projects

3.1.3 The Proposed Development is not of a type listed in Schedule 1.

Schedule 2 Projects

3.1.4 Schedule 2 identifies development types where, if the relevant threshold criteria are exceeded, further consideration is required (with reference to Schedule 3) in order to determine whether significant effects are likely, in which case, EIA is required.

3.1.5 The Proposed Development does not fall within any defined schedule as built development is not proposed as part of the restoration process. The end use is proposed to be a grassed valley which has been subject to a landscape restoration scheme. It is not proposed for intensive agriculture. Despite not explicitly listed as a Schedule 2 type development, for completeness and certainty, an assessment of the Proposed Development against Schedule 3 is provided in this Screening Request.

Sensitive Areas

3.1.6 Sensitive areas are defined in the EIA regulations as:

- Sites of Special Scientific Interest and European Sites;
- National Parks, the Broads, and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and Scheduled Monuments.

3.1.7 The site does not contain, or form part of, any sensitive areas as defined above. It is noted however that the site is approximately 300m from the Crymlyn Bog Ramsar Site, SSSI, SAC and NNR.

3.1.8 In certain cases, local designations which are not included in the definition of sensitive areas, but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required. Furthermore, in considering the sensitivity of a particular location, regard should also be had to whether any national or internationally agreed environmental standards (e.g. air quality) are already being approached or exceeded.

Significant Effects

3.1.9 The EIA Regulations state that development listed in Schedule 2 is EIA development if it is likely to have a significant effect on the environment by virtue of certain factors such as its nature, size or location.

3.1.10 This screening request has been prepared to indicate whether the Proposed Development would be likely to result in significant environmental effects. In order to achieve this, Schedule 3 of the EIA Regulations and need to be taken into account. Information on these is set out below.

Schedule 3: Selection Screening Criteria for Schedule 2 Development

3.1.11 Regulation 3 of the EIA Regulations states that when determining whether a Schedule 2 is EIA

development, the relevant local planning authority must take into account in making that decision:

- 1) Any information provided by the applicant about the proposed development;
- 2) The specific characteristics of the particular development;
- 3) The specific characteristics of development of the type concerned; and
- 4) The environmental features likely to be significantly affected by the development.

3.1.12 We have considered the Proposed Development against these below, having regard to the characteristics of the potential impacts.

Characteristics:

- a) The size of the development;
- b) The cumulation with other existing and/or approved development;
- c) The use of natural resources;
- d) The production of waste;
- e) Pollution and nuisances;
- f) The risk of major accidents;
- g) Risks to human health.

Location:

- a) The existing land use;
- b) The relative abundance, availability, quality and regenerative capacity of natural resources in the area;
- c) The absorption capacity of the natural environment (which includes attention to i) wetlands, riparian areas, river mouths and v) European sites and other areas classified or protected under national legislation).

Types and characteristics of the Potential Impact:

- a) The magnitude and spatial extent of the impact (geographical area and size of the affected population);
- b) The nature of the impact
- c) The transboundary nature of the impact;
- d) The intensity and complexity of the impact;
- e) The probability of the impact;
- f) The onset, duration, frequency and reversibility of the impact;
- g) The cumulation of the impact with the impact of other existing and/or approved development;
- h) The possibility of effectively reducing the impact.

3.1.13 These points are assessed in full in **Section 4** of this report.

3.2 Consideration of the Proposed Development

3.2.0 The following Environmental Impact Assessment screening checklist is to aid the Council and ensure that the relevant issues are considered and to provide a clear audit trail.

Application Thresholds	
i. Does the Proposed development fall within Schedule 1 (Y/N)?	No

ii. If yes, what is the applicable description?	N/A
iii. Does the Proposed development fall within Schedule 2 (Y/N)?	Unsure – no clear definition with schedules
iv. If yes, what is the applicable description?	n/a
v. Is any part of the Proposed development to be carried out in a defined Sensitive Area (see Regulation 2(1))	No
vi. What is the applicable threshold/criteria in Schedule 2?	n/a
vii. Does the Proposed development meet/exceed the applicable threshold (Y/N)?	n/a
If yes to (iii) and then (v) or (vii) the proposed development will require EIA <i>if</i> it is likely to have significant effects on the environment.	

Possible effects on the environment

The following information has been prepared with reference to the selection criteria for screening Schedule 2 development, provided in Schedule 3 of the EIA Regulations:

1. Characteristics of development (a) – (g)
2. Location of development (a) – (c)
3. Characteristics of the potential impact (a) – (h)

1. Characteristics of Development	
a) The size and design of the whole development	The works that constitute development are limited to (1) the engineering works associated with removal of the dam wall and (2) the minor reprofiling of the land behind it once water has been drained from the site. In respect of (2) the minor reprofiling will involve the redepositing of soil from the dam, originally sourced from the valley floor, across the newly exposed land (within the red line boundary) with the intent of re-establishing the historic, pre-reservoir, topography. Accordingly, the scope of the proposals are minor in nature and would not, as the result of its size and design, give risk to likely significant adverse effects in regard to this criterion.
b) The cumulation with other existing development and/or approved development	Consideration has been given as to whether there is potential for likely significant effects to occur through the combination of the proposal with other existing or approved developments – namely, the site to the south which is allocated for residential-led mixed use development, with an application submitted for up to 2,000 dwellings, with education (use class D1) and commercial / employment uses (use class E, B2 and B8) (ref: P2021/1193, awaiting decision). The restoration of the land back to its original condition prior to its use as a reservoir would not be open to the public; thus, there is no interlinked use with the proposed adjacent residential development to the south. As the development proposals are to restore the site to rough pasture land, the cumulative effect with other development is not considered to be significant.
c) The use of natural resources, in particular land, soil, water and biodiversity	The proposals include the retention of small water attenuation features. Depending on NRW requirements, this could comprise one or more small body of water on the upstream side of the location of the dam. The flow of water, whether directly from a free-flowing watercourse or via a small body of water, would likely follow the approximate alignment of the former pre-reservoir stream, with water discharging into the Crymlyn Bog to the south west via a pre-existing culvert beneath the railway line. This EIA screening request is supported by additional technical information which provides an overview of the baseline conditions in regard to the ecology, flood risk and ground contamination. The relevant reports comprise: Ecological Technical Note prepared by Ecology Solutions (reference: 9011M); Baseline Flood Risk & Hydrology Conditions Technical Note prepared by PJA (ref: 04020-PJA-22-XX-TN-R-006); and, Baseline Ground Conditions Technical Note prepared by PJA (ref: 04020-PJA-22-XX-TN-R-0079). Given the nature of the Proposed Development, it is not considered likely to result in a significant impact associated with the use of natural resources on site. Instead of using natural resources, the Proposed Development aims to restore the land to its original state, with commensurate levels of soil, water quality and biodiversity. Further, the application will be supported by a Landscape Restoration Scheme which will underpin the conditions of the Site in the future.
Water	In the absence of a natural outlet, the water levels within the north site reservoir (NSR) are by necessity managed through pumping. This level management has been in place for a considerable period of time, in order to prevent

	overtopping and breaching of the NSR. There has been partial drawdown and pumping rates are set to maintain the water volume at this reduced extent; this pumping regime is anticipated to remain until such a time that formal discontinuance is achieved. Following completion of drawdown works, it is proposed to re-form the existing shallow valley and reinstate a pre-existing watercourse(s). The watercourse could be made more sinuous to achieve a similar retardation effect wither as a standalone or in conjunction with a small water body, depending on NRW requirements. Indeed, should a waterbody be necessary, it will be designed such that its capacity remains permanently below that of a designated reservoir. The outflow from the reconfigured landform will be via an existing culvert which flows through the adjacent railway embankments, via the Tal-y-wedu outfall and into Crymlyn Bog, once the necessary approvals are in place. To inform the planning application submission, the baseline Flood Risk and Hydrology Technical Note prepared by PJA confirms that the forthcoming planning application would include any necessary mitigation measures through a collaborative approach with other disciplines to ensure that the water availability and quality of sensitive receptors within the local area are not adversely impacted on as part of the integrated managed approach to the discontinuance of the NSR and the restoration of the original landform. In addition to the phasing works, the Baseline Ground Conditions Technical Note prepared by PJA identifies that free phase hydrocarbons in the bund and that the primary engineering works to remove it will include targeted remediation works to ensure that any restored landform achieves appropriate environmental standards, both in regard to water quality and chemical quality of soils.
Biodiversity	The Site does not fall within any statutory or non-statutory biodiversity designations; however, there are nearby designated sites which have the potential to be affected in the absence of avoidance or mitigation measures being secured. Recommendations made by NPTBC have been specifically considered and responded to within the accompanying technical note on ecology. This includes an assessment of the habitats present and justification regarding the supporting faunal survey information. The potential for impact on the Crymlyn Bog are also considered, alongside the likely avoidance and mitigation measures that would allow impacts to be avoided. The Ecological Technical Note (ref: 9011M) produced by Ecology Solutions confirms that: <i>Given its artificial nature, the NSR is effectively absent of marginal and aquatic vegetation. No aquatic vegetation has been identified following the partial drawdown. The site's habitats are generally of low potential value to faunal species, comprising predominantly an area of unvegetated open water and large areas of bare ground. Boundary vegetation present along the northern, southern and eastern banks will be retained. Great Crested Newts are known to be in the wider area and will be considered accordingly.</i> <i>As the land will be restored to its original state, the newly created open land will capable of delivering a net gain for biodiversity. An Ecology Report based on up to date survey data will inform the requirements for industry-</i>

	<i>standard avoidance and mitigation measures that will be implemented. Appropriate buffers will be used to preserve and maintain the nearby wildlife sites.</i> Accordingly, the site is not identified to support habitats of raised ecological significance, whilst opportunities for protected and notable species are also limited, and on the basis of the emerging technical studies and assessment, it is considered that potential adverse impacts on the nearby Crymlyn Bog designated sites complex can be avoided. The Baseline Ground Conditions Technical Note (ref: 04020-PJA-22-XX-TN-R 0079) prepared by PJA confirms that surface water sampling has been undertaken which confirm concentrations of inorganic nitrogen, total and dissolved metals, PAH and TPH are present and may require some mitigation prior to eventual discharge into the Crymlyn Bog. The Proposed Development can therefore be delivered without giving rise to a likely significant adverse effect, and rather can deliver significant positive effects to the ecological value of the site
Soil	PJA has prepared a Ground Condition Technical Note (ref: 04020-PJA-22-XX-TN-R-0079) in support of this EIA screening request. It acknowledges that soil is an important component of the ecosystem and also has a role as a store of carbon. Its functions can be impaired or lost as a result of development if it is not managed properly. Appropriate management of soil resources during the removal of the reservoir can help with the re-establishment of soil functions following their storage or movement. Soil to use as infill for the reservoir will be required, once it has been drained. The soil will be sourced from the removal of the dam wall of the reservoir, which we understand was originally sourced from the valley floor. Where possible, any sediments that exceed relevant tolerances will be treated and retained on site. Where that is not possible, they will be removed and disposed of appropriately. In May and June 2022, PJA carried out a limited sampling exercise in accessible areas of the NSR following partial drawdown. The aim of the sampling exercise was to assess the chemical quality of the sediments and to understand the impact exposure to oxygen had on contaminant concentrations. A total of 40 samples underwent laboratory analysis for a broad range of determinants appropriate for the former operational oil refinery. Laboratory results were screened against available Suitable For Use Levels (S4ULs) and Category 4 Screening Levels (C4SLs) for a public open space end use. Limited, marginal exceedances of the S4UL were recorded for arsenic and dibenzo(a,h)anthracene. Of the 40 samples analysed, 18 marginal exceedances were recorded of the respective S4UL for aliphatic and aromatic TPH fractions. Asbestos fibres were recorded in ten samples and quantified in three of the samples at a concentration of <0.001%. Further sampling will be carried out on the base of the NSR once safe access is possible to establish the chemical quality of sediments not previously sampled. The Proposed Development will

	assess these sediments safely and mitigate significant risks and impacts related to soil quality.
Use of Materials	Measures will be identified in a comprehensive Construction Management Plan ('CMP'), which is anticipated to be required via a standard planning condition. This will ensure that waste generation on site is minimised through a variety of measures. The engineering works to discontinue the dam will be undertaken on site with the resultant soil being placed over the resultant land following drawdown of the reservoir. It is likely that limited material will leave the site. Overall, it is considered that Proposed Development will not result in significant effects related to the use of natural resources.
d) The production of waste	During the deconstruction of the reservoir dam, best practice waste management approaches will be implemented. Demolition and site clearance will require management of the material, although soils obtained from removal of the dam will be placed across the land behind the existing dam wall, to a formation that reflects the previous use of the land prior to it being a reservoir. The nature of the Project is such that excessive or abnormal waste generation is unlikely to occur as a result of the proposed engineering works.
e) Pollution and nuisances	The proposed use is not generator of pollution and/or nuisances. Demolition and Construction The potential for pollution or nuisance to be caused during demolition and construction will be controlled and managed through the use of a CMP, to be secured by condition. Its implementation will protect the amenity of neighbouring land uses that could otherwise be significantly affected by development on the site. Potential environmental effects associated with ground conditions/contamination will be subject to further investigation and remediation, which will be dealt with via the appropriate reports. Machinery used during construction as well as construction traffic movements will be managed through the implementation of standard best practice measures covering matters such as HGV routes and hours of operation so that the temporary noise and vibration impacts during construction will be suitably controlled. Access, traffic, air quality and noise Vehicular access will be via a private road that enters from the south-east corner of the site, from the B4290. Site traffic during the deconstruction phase will use this access. As there is no public pedestrian access, this will not be an issue. As previously mentioned, the CMP will detail the HGV routes and hours of operation, in order to minimise the traffic impact on the surrounding roads. The site has residential development to the north, south and east, beyond the M4. Mitigation measures will ensure there is limited impact on these developments. Following the completion of a pre-application enquiry with NPTCBC (ref: Q2022/0068), the Council confirmed that the scope of the planning application and they did not require the submission of an Air Quality Assessment or a Noise Assessment. Given the limited nature of the Proposed Development and the resultant land use, it is not considered that significant effects related to pollution and nuisances arising from access, traffic, air quality and noise are likely.
f) The risk of major accidents	The Site's location within the UK is such that natural disasters are not considered to represent a likely risk to the

and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge	proposed development. The Project will be designed in accordance with best practice, in terms of specification of drainage and building regulations. The potential for accidents or disasters resulting from the occupation and use of the scheme is considered to be negligible. Climate Change The reservoir is designated by Natural Resource Wales (NRW) as ‘high risk’ owing to the assessed risk to life should the dam fail. The removal of the reservoir would eliminate the risk of a major accident as the reservoir is now redundant. The Project will result in greenhouse gas emissions from both vehicles and plant. In line with current and emerging guidance and standards, such emissions will be minimised through the adoption of best practice working and construction methods. Given the implementation of suitable mitigation measures and the nature of the proposal, significant effects related to climate change are considered unlikely.
g) The risks to human health (for example, due to water contamination or air pollution)	Water Contamination The Project is considered unlikely to pose a significant risk to human health due to water contamination. Site drainage will be designed to avoid potential impacts of development on local water quality and will utilise sustainable drainage to achieve this. The planning application will be supported by a Construction Management Plan that will cover precise measures to mitigate against these risks during the construction phase. The Baseline Flood Risk & Hydrology Technical Note (ref: 04020-PJA-22-XX-TN-R-006) confirms that the NSR is believed to have been used for storing process water and for use in firefighting, but it is now redundant for that purpose. The Baseline Ground Conditions Technical Note (ref: 04020-PJA-22-XX-TN-R 0079) prepared by PJA confirms that surface water sampling has been undertaken which confirm concentrations of inorganic nitrogen, total and dissolved metals, PAH and TPH are present and may require mitigation prior to eventual discharge into the Crymlyn Bog. The proposals will be supported by a Landscape Restoration Scheme, with the resultant land not anticipated to be used for public access, nor for intensive agricultural purposes. None of the potential impacts are considered to pose a risk to human health. Air Quality The main source of air pollution in the area surrounding the Project Site is considered to be from vehicle emissions using the local road network during the construction phase. There are no heavy industrial pollution sources in the immediate vicinity of the Site that would reasonably directly influence ambient air quality at the Site beyond wider background contributions. Ground Conditions A Phase 1 Geoenvironmental Desk Study will be submitted as part of the planning application to confirm the

	ground conditions on the Site. This will assess the chemical quality of soils and surface water inflows into and within the footprint of the NSR. Management strategies will be proposed, if necessary, including SuDs treatment train and any additional mitigation measures considered necessary to ensure no unacceptable risks to Crymlyn Bog. The Baseline Ground Contamination Technical Note (ref: 04020-PJA-22-XX-TN-R-0079) prepared by PJA confirms that recent investigation works and sampling of soil quality has been completed, with 40 samples undergoing laboratory analysis for a broad range of determinants appropriate for the former operational oil refinery. Laboratory results were screened against available Suitable For Use Levels (S4ULs) and Category 4 Screening Levels (C4SLs) for a public open space end use. Limited, marginal exceedances of the S4UL were recorded for arsenic and dibenzo(a,h)anthracene. Of the 40 samples analysed, 18 marginal exceedances were recorded of the respective S4UL for aliphatic and aromatic TPH fractions. Asbestos fibres were recorded in ten samples and quantified in three of the samples at a concentration of <0.001%. Further sampling will be carried out on the base of the NSR once safe access is possible to establish the chemical quality of sediments not previously sampled. Owing to the site not providing access to the public, it is considered that neither the existing local area or the proposed new use of the Site present any immediate risks to human health. However, the construction phase of The Project does have the potential to produce an air quality issue etc. The CMP will seek to ensure that best practices are followed and that such impacts are minimised. The issue of Development-generated traffic will form part of this plan.
2. Location of development	
a) The existing and approved land use	The Site currently consists of open land with a reservoir. The surrounding uses include open land, a small wooded area, and residential related development. The proposed land use is to restore the land to its original state, of open, rough pasture. It is not considered that the redevelopment of the Project Site would have a significant impact on the environmental sensitivity of the geographical area or an adverse impact on local resources.
b) The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground	In relation to criteria 2 (b) and (c), the Site itself is not subject to any statutory environmental designations. Consideration is given below to potential environmental impacts by virtue of the Site's location. Soil The reservoir sediments currently contains low levels of soil contaminants; 18 of 40 samples showed marginal exceedances of Suitable For Use Levels. Where possible, any sediments that exceed relevant tolerances will be treated and retained on site. Where that is not possible that will be removed and disposed of appropriately. The land will be restored to its original use and the impact on the soil conditions is anticipated to be positive overall.
c) The absorption capacity of the natural environment	

	Biodiversity / Ecology As previously mentioned, the site will return the land to its original state. Special consideration will be taken, particularly regarding habitats for newts. As the Site is approximately 300m from the Crymlyn Bog, mitigation measures will be taken to ensure this area is not negatively impacted. It is therefore considered that, overall, the development is unlikely to result in a significant effect on ecology and nature conservation. Surface Water Drainage and Flood Risk The site is within Flood Zone 3 (which carries a high risk of flooding from surface water and small watercourses). The area directly to the west is at risk of flooding from the reservoir. Once the reservoir has been discontinued, a central stream will be reinstated. The outflow will be via an existing culvert, flowing through the adjacent railway embankments and into the Crymlyn Bog. Through consultation with NRW, it will be the aim of the flow of water to avoid adverse impacts on the Crymlyn Bog. A Flood Risk Assessment and Drainage Plan will be submitted with the application and will set out mitigation measures to control the flow of water from the site. Population Services and facilities will not be impacted by the proposals and significant effects are considered to be highly unlikely. Landscape and Visual Impacts As the reservoir will be discontinued and returned to open land, it is anticipated that the proposals will therefore have positive visual impacts on relevant receptors, which are limited in any event.
3. Types and characteristics of the potential impact	
a) The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);	The Site is 10.21 ha. in size. The proposals seek to discontinue the reservoir and restore the land to its original form. This will have positive impacts on the surrounding area and ensure that potential adverse impacts are avoided on the Crymlyn Bog. The restoration of the land will enhance the soil quality and allow an increase in biodiversity, such as newts. The potential impacts, in the absence of mitigation, will only be minor and will only be felt locally with regard to ecological and landscape effects. Moreover, subject to the implementation of identifiable avoidance and mitigation measures, potential impacts can be avoided on all ecological receptors, not least the Crymlyn Bog. There are no significant impacts identified resulting from the development.
b) The nature of the impact;	As identified above, the Site and the development proposals are such that significant effects are unlikely to result. The Project will not increase vehicle movements on the local highway network and mitigation; it will not negatively impact the local visual and landscape context; and safeguarding measures mean that no significant contamination or ecological impacts are likely. The impacts on the soil, ecology and water will be addressed by the appropriate reports (including, among other reports: Ground Conditions Survey; Extended Phase 1 Habitat survey (including Great Crested Newt and Bat Activity surveys); Landscape Restoration Scheme (including

	Landscape Plans); and, a flood Risk Assessment), which will be submitted with the application. The scope of ecological surveys will include consideration of protected and notable species / assemblages.
c) The transboundary nature of the impact;	Following completion of the drawdown to reduce the water level in the NSR to a position where the water body falls below reservoir status, it is proposed to re-profile the existing shallow valley and reinstate a central stream, which will either flow directly into the Crymlyn Bog or be attenuated by a small body of water and flow from there into the Bog. Any such waterbody will be designed such that its capacity remains permanently below that of a designated reservoir. It is anticipated that the outflow from the reconfigured landform will be via an existing culvert which flows through the adjacent railway embankments, via the Tal-y-wedu outfall and into Crymlyn Bog, once the necessary approvals are in place. To inform the planning application submission, the baseline Flood Risk and Hydrology Technical Note prepared by PJA confirms that the forthcoming planning application would include any necessary mitigation measures through a collaborative approach with other disciplines to ensure that the water availability and quality of sensitive receptors within the local area are not adversely impacted on as part of the integrated managed approach to the discontinuance of the NSR and the restoration of the original landform. The Baseline Ground Conditions Technical Note (ref: 04020-PJA-22-XX-TN-R 0079) prepared by PJA confirms that surface water sampling has been undertaken which confirm concentrations of inorganic nitrogen, total and dissolved metals, PAH and TPH are present and may require mitigation prior to eventual discharge into the Crymlyn Bog. In the event that mitigation is necessary, it is possible that the impact on the Crymlyn Bog can be managed and that it would be neutral. No further transboundary effects will result from the scale and nature of the development proposed.
d) The intensity and complexity of the impact;	The overall impact of The Project is predicted to be of a normal intensity and complexity for a scheme of this size and nature. As discussed above, the anticipated developmental effects can be managed effectively through the measures that will be identified in the various technical reports supporting the planning applications and can be secured via planning condition.
e) The probability of the impact;	All of the potential impacts and their probability are understood and predictable, none are considered to be of sufficient significance as to warrant the Project being designated an EIA development.
f) The expected onset, duration, frequency and reversibility of the impact;	The potential for temporary impacts to arise during the construction phases will be minimised through adherence to best working practices. The duration of impacts, particularly in relation to visual amenity would be considered permanent but not significant, as the visual amenity will be enhanced, through the restoration of the land back to its original form.
g) The cumulation of the impact with the impact of other existing and/or approved	The possibility of cumulative impacts has been considered in association with selection criteria 1(b).

development;	
h) The possibility of effectively reducing the impact	The potential impacts associated with The Project can be mitigated through careful consideration of the ecological, soil and water implications. Monitoring during deconstruction phase will ensure any unforeseen impacts are identified and mitigated. The use of best practice methods and implementation of accepted mitigation measures can be controlled through a CMP.

Conclusion

- 4.1 The Proposed Development will comprise engineering works that pertain to the draining down of the reservoir and the removal of the dam wall. Once the dam wall has been removed and the earth/spoil spread thinly across the resultant land behind the former structure (which will give rise to some minor regrading and profiling, consistent with the restoration of the historical pre-reservoir topography so far as the guidance from NRW permits), the reservoir can then be formally signed off as having been discontinued by the panel engineer.
- 4.2 The reservoir is currently defined by NRW as 'high risk' owing to the potential harm it could cause should the dam fail. The Proposed Development will: principally, enable the development to comply with the legal requirement placed on St. Modwen to 'improve' the reservoir, to reduce the risk of dam failure, or remove the risk altogether by removal of the dam; and, second: involve discontinuance of a reservoir that is now functionally redundant.
- 4.3 The Proposed Development would re-instate the original watercourse through the valley and will retain a drainage function into the Crymlyn Bog. The outflow to the site will be via the existing culvert beneath the railway line, located to the south west of the Site. The rate of discharge and the need for flow attenuation would be determined in consultation with NRW.
- 4.4 The Site is not within or partially within an environmentally sensitive area as defined by the EIA Regulations and environmental impacts are unlikely to be complex or experienced beyond its locality.
- 4.5 Potential environmental effects associated with transport, noise, air quality, landscape and visual amenity, built heritage, archaeology, biodiversity, water resources and flood risk, climate change and the interaction of changes resulting from The Project are not expected to result in likely significant effects.
- 4.6 The implementation of standard, effective mitigation measures regularly used for this type of development have been considered in this process. This has taken account of the nature and scale of the Project, its location, the sensitivity of the existing environmental and the types / characteristic of potential impacts likely, such that it can be concluded that the Project would not be likely to result in significant effects.
- 4.7 It is anticipated that the detailed planning application will be accompanied by the following plans and documents:
 - Forms
 - Planning Application Form & Certificates
 - Drawings, Principles, Parameters
 - Site Location (red line) Plan
 - Existing Site Plan
 - Proposed development plan
 - Cross sections of the dam features of the stream
 - Technical Reports

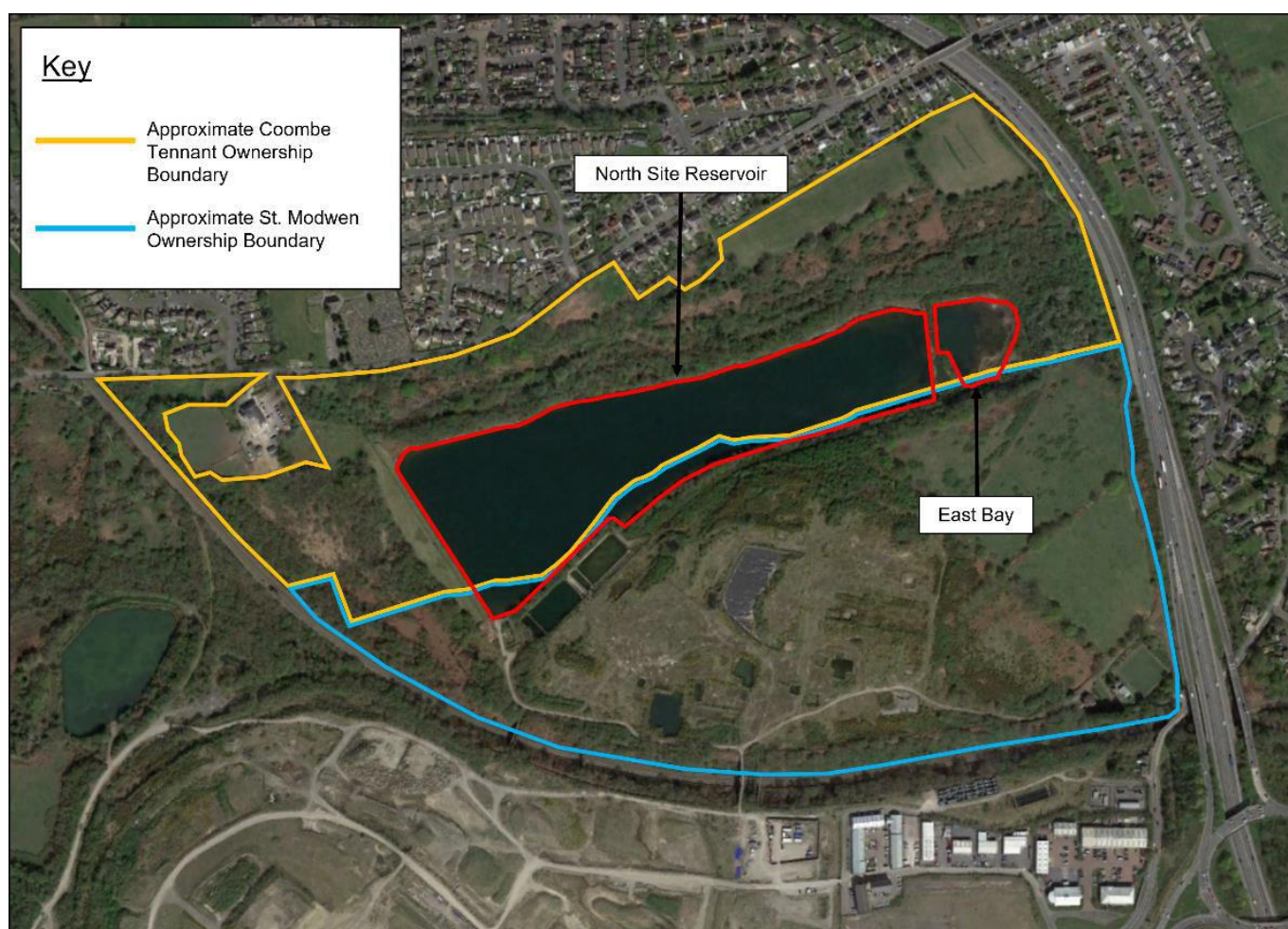
- Planning Statement (including historic photographs of the site, where available)
- Heads of Terms
- Ground Conditions Survey
- Landscape Visual Impact Assessment
- Landscape Restoration Scheme (including Landscape Plans)
- Extended Phase 1 Habitat Survey (including Great Crested Newt and Bat Activity surveys)
- Flood Risk Assessment & Drainage Strategy

4.8 The extensive set of technical assessments to be submitted with the planning application will ensure that all impacts and mitigation measures are assessed and managed.

4.9 Therefore, having considered Schedules 2 and 3 of the EIA Regulations, it is unlikely that the proposed development will give rise to significant environmental effects. It is therefore respectfully suggested that an **EIA is not required to accompany the planning application.**

4.10 Regulation 6(6)(a) of the EIA Regulations advises that a Local Planning Authority shall adopt a screening opinion within three weeks of the date of receipt of a request.

Appendix A: Site Location Plan



Source: NSR Flood Risk and Hydrology Technical Note prepared by PJA

Appendix B: Planning Policies

Planning policies from NPTBC's Development Plan that pertain to the proposed development as set out in full below:

Policy SP1 Climate Change

The causes and consequences of climate changes will be addressed by implementing the following measures.

In relation to the causes of climate change:

- The efficiency and suitability of the County Borough's settlements will be enhanced through developing more cohesive and efficient settlements and settlement patterns, and consequently more sustainable travel patterns;
- Greenhouse gas emissions from transport will be minimised through encouraging freight/commercial transport by alternatives to road (e.g. rail or sea)
- Dependence on the private car and the need to travel in general will be reduced through promoting alternative means of transport and more efficient uses of existing facilities, co-location and joint use of facilities;
- Provision will be made for the County Borough's appropriate contribution to renewable and low carbon energy generation.

In relation to the consequences of climate change:

- Likely increased flood risk will be taken into account and addressed by ensuring that there is greater resilience by avoiding development on land that is at risk from flooding in the first instance in accordance with the sequential approach set out in the national guidance or in location that could increase risk of flooding elsewhere.
- The fragmentation of habitats will be minimised and opportunities made for habitat and species change and migration where possible.

Policy SP2 Health

The following measures will be taken in relation to the high levels of poor long term health and sickness in Neath Port Talbot:

- The development of sustainable, safe and confident communities will be promoted through the co-location of jobs and facilities and the development of community facilities and services in accordance with the settlement framework;

- Peoples exposure to those elements that can have an adverse impact on their health (such as their social, economic and physical environment) will be reduced where possible through consideration of the environmental and safety impacts of new developments;
- Healthier, more active and safer lifestyles will be encouraged through the retention of a range of accessible leisure, recreational, health, retail, social, cultural and community facilities throughout the County Borough.
- Accessibility within and between communities will be improved to encourage active travel;
- The provision of new employment opportunities will be promoted to reduce unemployment and economic inactivity rates.

Policy SP3 Sustainable Communities

The delivery of sustainable, healthy and cohesive communities and the conservation of the countryside will be promoted by:

- Defining sustainable communities and locations for development by the identification of a settlement hierarchy that reflects the role and function of settlements;
- Defining settlements limits within which development which accords with the settlement hierarchy will be permitted in principle;
- Resisting inappropriate development outside of settlements

Policy S4 Infrastructure

Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable.

Policy SP5 Development in the Coastal Corridor Strategy Area

In the Coastal Corridor Strategy Area, sustainable growth and development will be promoted to benefit the County Borough as a whole, while protecting and enhancing the area's character and environment. This will be achieved through the following area-specific measures:

1. Making provision for the majority of new residential development along the coastal corridor; 2. Allocating Strategic Regeneration Areas at Coed Darcy (Neath) and Harbourside (Port Talbot);
3. Allocating Strategic Employment Sites at Baglan Bay and Junction 38 (M4) Margam;
4. Safeguarding existing employment uses and sites for employment purposes;
5. Promoting mixed use regeneration schemes at Neath Town Centre, Port Talbot Town Centre and Aberafan Seafront; 6. Developing a University Campus at Fabian Way;
7. Managing urban form and setting through the designation of Green Wedges;
8. Improving public and private transport provision including the following schemes:
 - (a) Highway improvements at Baglan Energy Park, Coed Darcy, Ffordd Amazon, and Harbour Way;
 - (b) New interchange and railway station improvements at Port Talbot;

(c) Park and Share scheme at Junction 38 (M4) Margam.

Policy SP10 Open Space

Provision will be made to ensure that all residents have access to adequate open space through the following measures:

1. Ensuring that new development addresses local needs;
2. Retaining and protecting existing open space

Policy SP15 Biodiversity and Geodiversity

Important habitats, species and sites of geological interest will be protected, conserved, enhanced and managed through the following measures:

1. The identification of the following Internally and Nationally designated sites within the County Borough to enable their protection:
 - a. Special Areas of Conservation (SACs) and Ramsar Sites;
 - b. Sites of Special Scientific Interest (SSSI);
 - c. National Nature Reserves (NNRs).
2. The identification and protection of sites of regional and local importance;
3. The protection of important natural heritage features.

Policy SP16: Environmental Protection

Air, water and ground quality and the environment generally will be protected and where feasible improved through the following measures:

- Ensuring that proposals have no significant adverse effects on water, ground or air quality and do not significantly increase pollution levels;
- Giving preference to the development of brownfield sites over greenfield sites where appropriate and deliverable;
- Ensuring that developments do not increase the number of people exposed to significant levels of pollution.

Policy SP17: Minerals

A proportionate contribution to meeting national, regional and local demand for a continuous supply of minerals will be made while balancing the impact of development on the environment and communities. This will be achieved by:

1. Maintaining a minimum supply of aggregate throughout the Plan period;
2. Safeguarding identified resources of coal, hard rock and sand and gravel;
3. Promoting the efficient use of aggregates and encouraging the maximum use of alternative materials before the use of raw aggregate;

4. Ensuring that mineral development will not have an unacceptable impact on the environment and amenity of local residents;
5. Minimising the conflict between sensitive land uses and mineral operations by identifying buffer zones around mineral sites and protection zones around settlements.

Policy SP20: Transport Network

The transport system and infrastructure will be developed in a safe, efficient and sustainable manner through the following measures:

1. Implementing key transport projects and supporting schemes identified in the Joint Transport Plan;
2. Promoting connectivity and access to public transport through improving bus and rail facilities;
3. Supporting enhancements to the walking and cycling network;
4. Promoting park and share schemes along key highway routes;
5. Promoting efficient use and links to the transport network through the identification of a road hierarchy;
6. Restricting development which would have an unacceptable impact on highway safety;
7. Requiring development proposals to be designed to provide safe and efficient access and promote sustainable transport;
8. Requiring appropriate parking provision;
9. Facilitating movement of freight by means other than road.

Policy SP21: Built Environment and Historic Heritage

The built environment and historic heritage will, where appropriate, be conserved and enhanced through the following measures:

1. Encouraging high quality design standards in all development proposals;
2. Protecting arterial gateways from intrusive and inappropriate development;
3. Safeguarding features of historic and cultural importance;
4. The identification of the following designated sites to enable their protection and where appropriate enhancement:
 - (a) Landscapes of Historic Interest;
 - (b) Historic Parks and Gardens;
 - (c) Conservation Areas;
 - (d) Scheduled Ancient Monuments; and
 - (e) Listed Buildings and their curtilage.

Policy SC1 Settlement Limits

Development within settlement limits that is proportionate in scale and form to the role and function of the settlement as set out in the Settlement Hierarchy will be acceptable in principle. Outside settlement limits, development will only be permitted under the following circumstances:

1. It constitutes a sustainable small scale employment use adjacent to a settlement limit; or
2. It constitutes live-work unit(s) immediately adjacent to a settlement limit in the Valleys Strategy Area only; or
3. It constitutes the small-scale expansion of an existing business or the suitable conversion of an existing building; or
4. It constitutes the appropriate replacement of an existing dwelling; or
5. It is an affordable housing exception site; or
6. It is an appropriate rural enterprise dwelling; or
7. It is an appropriate 'One Planet Development'; or
8. It is a sustainable tourism or farm diversification proposal that is suitable in a countryside location; or
9. It is associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere; or
10. It is associated with either agriculture, forestry, minerals or energy generation; or
11. It relates to the appropriate provision of accommodation for Gypsies / Travellers; or
12. It constitutes the provision of open space and small scale ancillary facilities adjoining the settlement limit.

Where development is permitted outside settlement limits, any new buildings must be located adjacent to existing buildings or settlements wherever possible and be of an appropriate scale and form.

Policy I1: Infrastructure Requirements

In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for:

- Affordable housing;
- Open space and recreation facilities;
- Welsh language Infrastructure (in Language Sensitive Areas);
- Community facilities including community hubs;
- Biodiversity, environmental and conservation interests;
- Improving access to facilities and services including the provision of walking and cycling routes;

- Historic and built environment and public realm improvements;
- Community and public transport;
- Education and training.

Policy SRA1: Coed Darcy Strategic Regeneration Area

A Strategic Regeneration Area is designed at Coed Darcy, Neath for the development of an urban village comprising the following allocations: Residential - for 4,000 units, 2,400 within the plan period (ref: H1/LB/5); and, B1 Business – 41,200 sq m (ref: EC1/3).

Policy OS1: Open Space Provision

Where there is a quantitative deficiency in outdoor sport, children's play, informal space or allotments, provision will be sought, including the requirement for maintenance, in conjunction with all new residential developments of 3 or more dwellings, which are based on defined standards set out in the policy.

Policy EN6: Important Biodiversity and Geodiversity Sites

Development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habitats or species will only be permitted where:

1. They conserve and where possible enhance the natural heritage importance of the site; or
2. The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site.

Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.

Policy EN7: Important Natural Features

Development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows/field boundaries, watercourses or ponds will only be permitted where:

1. Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they are retained and protected wherever possible; or
2. The biodiversity value and role of the relevant feature has been taken into account and where the removal is unavoidable, mitigation measures are agreed.

Policy EN8: Pollution and Land Stability

Proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk due to the following will not be permitted: air, noise light, water (including groundwater) pollution, contamination, land instability.

Proposals which would create new problems or exacerbate existing problems detailed above will not be acceptable unless mitigation measures are included to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level.

Policy M1 Development in Mineral Safeguarding Areas

Development proposals within mineral safeguarding areas will only be permitted where it can be demonstrated that:

1. The mineral concerned is no longer of any value or potential value; or
2. The mineral can be extracted satisfactorily prior to the development taking place; or
3. In the case of temporary development, it can be implemented and the site restored within the timescale that the mineral is likely to be needed; or
4. There is an overriding need for the development; or 5. The scale and location of the development would have no significant impact on the possible working of the resource.

Policy M2: Surface Coal Operations

Surface coal operations will be considered unacceptable in principle where they:

1. Are within 500 metres of a settlement (unless there are deemed to be exceptional circumstances by the Council);
2. Are within or adversely affect any International and National areas of environmental importance;
3. Are within or adversely affect any International and National areas of cultural importance

Policy M3: Development in Mineral Buffer Zones

Development proposals within buffer zones will only be permitted where it can be demonstrated that:

1. The mineral resource will not be sterilised; and
2. The proposals will not be adversely affected by mineral operations.

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.

Policy BE1: Design

All development proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places. Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

- It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;
- It respects the context of the site and its place within the local landscape, including its impact on the important arterial gateways into the County Borough, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;
- It utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate;
- It would not have a significant adverse impact on highway safety, the amenity of occupiers of adjacent land or the community;
- Important local features (including buildings, amenity areas, green spaces and green infrastructure, biodiversity and ecological connectivity) are retained and enhanced as far as possible;
- It achieves and creates attractive, safe places and public spaces, taking account of 'Secured by Design' principles (including where appropriate natural surveillance, visibility, well-lit environments and areas of public movement);
- It plays a full role in achieving and enhancing an integrated transport and communications network promoting the interests of pedestrians, cyclists and public transport and ensures linkages with the existing surrounding community;
- It uses resources, including land and energy, as efficiently as possible through:
 - a. Making the best and most efficient use of the land available through being of appropriate density taking into account the character and appearance of the area, normally a minimum of 35 dwellings per hectare in the Coastal Corridor Strategy Area or a minimum of 30 dwellings per hectare in the Valleys Strategy Area;
 - b. The layout and form of the development does not preclude the reasonable use of other adjacent land;
 - c. Developing brownfield land in preference to greenfield land where possible;
 - d. Minimising building exposure while maximising solar gain.
- Its drainage systems are designed to limit surface water run-off and flood risk and prevent pollution;

- The layout and design of the development achieves inclusive design by ensuring barrier free environments, allowing access by all and making full provision for people with disabilities.

National Planning Policy

Future Wales: The National Plan 2040

Policy 9 - Resilient Ecological Networks and Green Infrastructure

To ensure the enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure, the Welsh Government will work with key partners to:

- identify areas which should be safeguarded and created as ecological networks for their importance for adaptation to climate change, for habitat protection, restoration or creation, to protect species, or which provide key ecosystems services, to ensure they are not unduly compromised by future development; and
- identify opportunities where existing and potential green infrastructure could be maximised as part of placemaking, requiring the use of nature-based solutions as a key mechanism for securing sustainable growth, ecological connectivity, social equality and well-being.

Planning authorities should include these areas and/or opportunities in their development plan strategies and policies in order to promote and safeguard the functions and opportunities they provide. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit) the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

Planning Policy Wales (Edition 11, February 2021), which is supported by:

Technical Advice Note 5: Nature Conservation and Planning (2009)

TAN5 sets out the key principles of planning for nature conservation. It provides advice about the preparation and review of development plans, addressing nature conservation in development control procedures. It deals with the conservation of internationally and nationally designated sites and habitats and also covers local sites, while dealing with the conservation of protected and priority species.

Technical Advice Note 12: Design (2016)

The purpose of TAN12 is to equip all those involved in the design of development with advice on how 'Promoting sustainability through good design' and 'Planning for sustainable building' may be facilitated through the planning system. It covers the design process, delivering good design and assessing design issues.

Technical Advice Note 15: Development and Flood Risk (2004)

TAN15 provides technical guidance which supplements the policy set out in Planning Policy Wales in relation to development and flooding. It advises on development and flood risk as this relates to

sustainability principles and provides a framework within which risks arising from both river and coastal flooding, and from additional run-off from development in any location, can be assessed.