

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 1999**

**SCREENING OPINION – ENVIRONMENTAL STATEMENT NOT
REQUIRED**

Name and address of the applicant

**St Modwen Development
C/O Agent**

Name and address of the agent

**Mr Matt Tucker
Savills
Embassy House
Queens Avenue
Bristol
BS8 1SB**

DATE REGISTERED: 3 March 2023

APPLICATION NO: P2023/0190

LOCATION: North Site Reservoir, Coed Darcy, Llandarcy, Neath, Neath
Port Talbot, SA10 6FR

PROPOSAL: Request for Screening Opinion under Regulation 6 of the Town
and Country Planning (Environment Impact Assessment)
(Wales) Regulations 2017 for proposed discontinuance of the
North Site Reservoir and associated engineering works

THE NEATH PORT TALBOT COUNTY BOROUGH COUNCIL AS THE LOCAL PLANNING
AUTHORITY IN PURSUANCE OF ITS POWER UNDER THE ABOVE MENTIONED ACT
AND REGULATION HEREBY ADOPTS THE FOLLOWING SCREENING OPINION THAT
THE DEVELOPMENT IS NOT AN E.I.A. DEVELOPMENT AND THAT THE APPLICATION
NEED NOT BE ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT. THE
REASONS FOR THIS OPINION ARE SET OUT IN THE ATTACHED REPORT.

Signed:



Ceri Morris – Head of Planning & Public Protection

Date: 28 March 2023

Application No.:	P2023/0190	
Site Location:	North Site Reservoir Coed Darcy Llandarcy Neath SA10 6FR	
Description:	Request for Screening opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for proposed discontinuance of the North Site Reservoir and associated engineering works	
Date of submission:	03.03.2023	
Relevant Regulation:	— 1999 Regs submitted between 1999 and the 29 Feb 2016 — 2016 Regs submitted on or between 1 March 2016 and 15 May 2017. - 2017 Regs. Submitted on or after 16 May 2017.	
Schedule 1.		
Is the project Schedule 1 Development?	Yes, if so which description of development? EIA is Required.	NO
Does the project change or extend development described in schedule 1?	If yes, would the project may have significant adverse effects on the environment? If so describe:	NO
Schedule 2.		
Is the project listed as a description of development under column 1 of Schedule 2?	YES 10(i) Dams and other installations designed to hold water or store it on a long-term basis (unless included in Schedule 1)	If no proceed.
Are the applicable thresholds/criteria in column 2 exceeded/met?	YES (area of the works exceeds 1 hectare)	If no, proceed.
Does the project change or extend development described in column 1 of schedule 2?	If yes, would the project may have significant adverse effects on the environment? If so describe:	NO
Is the Project located wholly or partly within a 'Sensitive area'? Sensitive Areas are: - SSSI. - National Park. - World Heritage Site. - A scheduled Ancient Monument. - ANOB. - A European Site – SAC, CSAC etc.	If Yes, screening opinion required.	NO (but potential transboundary impact on Crymlyn Bog Ramsar Site, SSSI, SAC and NNR - within 300m)
Have the Welsh Ministers issued a screening Direction?	If Yes, is the direction that the development is EIA Development? If yes, has an EIA been submitted with the application? If direction is that the project is not EIA then no screening required.	NO
Has an ES been submitted?	If Yes proceed to validation.	NO

Detailed EIA Screening Assessment.

In answering the following questions due regard must be given to the impact of the development taking into account:-

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (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 expected 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.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
Criterion 1. Character of Development		
Question 1a Size and Design of Development.		
Will the design, Construction, Operation or decommission of the project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies etc.)?	Yes. The proposed development would result in the site (approx. 10ha in size) being altered from a reservoir holding <300,000m ³ of impounded water to a land basin with permanent modifications to prevent water volume exceeding 10,000m ³ . Whilst there would be some physical changes to the landscape, the works that constitute development are limited to the engineering works associated with removal of the dam wall and minor re-profiling of the land behind it once water has been drained from the site. The re-profiling will involve the redepositing of soil from the dam across the newly exposed land with the intent of re-establishing the historic, pre-reservoir, topography. Therefore the proposed engineering works would be localised in nature and not be likely to result in significant effects in EIA terms.	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
Question 1b Cumulation with Other Existing Development and/or Approved Development.		
Are there any other factors which should be considered such as: • Consequential development which could lead to Environment effects? • The Potential for cumulative impacts with other existing approved development or planning activities in the locality? • Any plans for future land uses on or around the location which could be affected by the project? • Transfrontier impact?	Yes. There is potential for some cumulative in-combination effects with other existing or proposed developments, including the wider Coed Darcy mixed use development which is itself subject of an Environmental Statement. However, given the development proposals are to restore the site to rough pasture land together with its relatively localised scale, it is considered that significant cumulative effects are unlikely.	Significant effects unlikely.
Question 1c Use of Natural Resources, in particular land, soil, water and biodiversity;		
Will construction or operation of the project use natural resources, in particular land, soil, water and biodiversity etc. which are non-renewable or in short supply?	Yes, the proposal would require a degree of land take and use of natural resources as the operational stage would remove the water supply currently stored within the reservoir. However, given the relatively small scale of the project, it is considered that significant effects on natural resources are unlikely.	Significant effects unlikely.
Question 1d. Production of Waste		
Will the project produce solid wastes during construction or operation or decommissioning?	Yes, some waste would be produced during construction and, notwithstanding the intention for some recycling of material and sediment within the site, the development would likely result in some solid waste. However, given the scale and nature of the proposed development it is considered that significant effects are unlikely in terms of waste generation.	Significant effects unlikely.
Question 1e. Pollution and Nuisances.		

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
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.	N/A
Will the project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes, some noise and vibration likely during the construction phase, though this would be localised and time limited. Given the location of the site and the localised nature of the impacts, it is considered that any effects in terms of noise and vibration would be localised and unlikely to be of a magnitude that would be so significant, such that they would warrant EIA.	Significant effects unlikely.
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)?	Yes. There are a number of designated areas within close proximity, including the highly designated Crymlyn Bog. Discontinuance of the reservoir has the potential to effect the surrounding hydrology and, given the site's previous use as part of the oil refinery, there is a risk of contaminants being present on the site which could infiltrate surrounding water networks. Adequate provision will need to be made to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely affected by the development, including providing details of attenuation post discontinuance (during intense rainfall events) and the effect this has on surrounding land and watercourses. It is considered the changes would be localised in nature and not	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	be likely to result in significant effects in EIA terms, subject to further hydrological surveys and mitigation. Separate consent(s) will also likely be required under section 23 of the Land Drainage Act 1991 and/or Schedule 3 of the Flood and Water Management Act 2010.	
Question 1f Risk of 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 and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge during construction or operation of the project?	Yes, some small risk of accident during decommissioning. However, given the scale and type of works involved, such risks are unlikely to be significant.	Significant effects unlikely.
Question 1g Risks to human health (for example due to water contamination or air pollution)?		
Are there risks to human health for example due to water contamination or air pollution?	Some small risk in terms of health and safety but given the scale and nature of the works this is unlikely to be significant.	Significant effects unlikely.
Criterion 2 Location of development.		
Question 2a Existing and approved land use.		
Will the project result in social changes for example, in demography, traditional lifestyles employment?	No.	N/A
Are there any routes or facilities or approved 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?	No. There are no registered Public Rights of Way affecting the site in question.	N/A
Are there any transport routes or approved routes which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No.	N/A
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
Are there any areas on or around the location occupied by land uses or approved land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	No.	N/A
Question 2b Relative Abundance, Availability, Quality and Regenerative Capacity of Natural Resources (including soil, land, water and biodiversity) 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, soil, land, water and biodiversity, which could be affected by the project?	Yes. There are a number of designated areas within close proximity, including the highly designated Crymlyn Bog. Whilst there would be physical change to the site itself, as well as surrounding hydrology and ecology, it is considered the change would be localised in nature and not be likely to result in significant effects in EIA terms, subject to further hydrological and ecological surveys and mitigation.	Significant effects unlikely.
Question 2c 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 floras which could be affected by the project?	Yes. The site is deemed as having potential to support protected species (Great Crested Newt) as well as impact on other priority habitats within close proximity. It is likely that additional surveys will need to be undertaken as a number of areas of habitat have been identified to have high local conservation value and will need to be considered carefully during the design of the proposed development. A detailed ecological assessment and associated follow-up, species specific surveys will need to be carried out to accompany any application for planning permission, with the potential	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	for mitigation to be secured. However the effects are considered unlikely to be of such a magnitude that would be so significant, such that they would warrant EIA.	
Are there any inland, coastal, marine, river mouths, riparian area or underground waters on or around the location which could be affected by the project?	No.	N/A
Are there any areas or feature of high landscape or scenic value on or around the location which could be affected by the project?	Yes. The removal of the existing body of water will affect the existing landscape, and this will likely be a consideration for the decision maker in terms of final restoration. However, based on the information provided, and given the topography of the site and the potential for mitigation to be secured, it is considered that significant effects in EIA terms are unlikely.	Significant effects unlikely.
Is the project in a location where it is likely to be highly visible to many people?	No.	N/A
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	No.	N/A
Are there any areas, landscapes, sites or features of historic, archaeological or cultural importance or significance on or around the location which could be affected by the project?	Yes. Information in the Historic Environment Record (HER) shows that the reservoir is part of the BP Llandarcy Oil Refinery, likely used as a water source for firefighting. The refinery, and the associated model village and facilities, date from 1921 and was the first large scale commercial oil refinery in the UK. Supplied from the purpose built Queens Dock, it was sited for safety away from the Swansea Dock complex.	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	As such, it is a historic structure and the proposals will therefore have a significant impact on it. However, given that the Oil Refinery has already been demolished its historic importance is not considered to be of sufficient scale for the proposed works to be considered so significant such they would warrant EIA. The current proposal relates to the removal of the western bank and works to the basin of the reservoir, which dates to the mid 20th century. It includes proposals for landscaping restoration informed by historic mapping. As a result, it is considered unlikely that there will be significant impact on buried archaeological resources. However it is likely that, depending on the detailed plans, archaeological recording via a suitably worded condition would be required as part of any planning permission. A number of designated historic assets are located within 3km of the proposed development/site, but intervening topography, buildings and vegetation block all views between them. Consequently, it is considered that the proposed development will have no impact on their settings.	
Are there any areas on or around the location which area already subject to pollution or environmental damage e.g. where existing legal environmental quality standards are exceeded, which could be affected by the	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
project? Or in which it is considered there is such a failure? Such as AQMA?		
Is the project located susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	No.	N/A

Statement Of Reasons

The proposed development to discontinue the existing reservoir and associated engineering works, will inevitably result in a number of effects, most notably in terms of the physical change to the site itself, landscape and visual impact and particularly the effects on hydrology and ecology. However, whilst these will likely be important considerations for the decision maker and will be subject to further assessment, the type of development proposed, coupled with the context of the site and the localised nature of the impacts, are such that significant environmental effects are unlikely. It is therefore concluded that EIA is not required in this instance.

In coming to this decision the Authority has had due regard to all information submitted by the developers; the available results of other environmental assessments as well as the criteria set out within schedule 3. The Authority's main reasons for coming to this decision are set out within the above table. In conclusion, the Authority is of the opinion that the proposed development, either alone or in combination, are unlikely to have a significant adverse effect on the environment. This is on the understanding that the above identified effects could be avoided or prevented as specified within the table. As such, the likely effects of the development are unlikely to be significant enough to warrant EIA development.

AUTHORISATION

Case Officer:	Name:	CLAIRE HALL
	Signature:	
	Date:	27.03.2023
Authorised by:	Name:	Helen Bowen
	Signature:	
	Date:	27/3/23