

**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

**Neath Port Talbot Council
C/o Agent**

Name and address of the agent

**Matthew Tierney
Atkins Ltd
West Glamorgan House
12 Orchard Street
Swansea
SA1 5AD**

DATE REGISTERED: 17 March 2023

APPLICATION NO: P2023/0224

LOCATION: Caenant Terrace, Whitegates Court, Drummau Road And Old Road, Skewen, Neath

PROPOSAL: Request for Screening Opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for proposed Skewen Flood Alleviation scheme

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: 12 May 2023

Application No.:	P2023/0224	
Site Location:	Caenant Terrace, Whitegates Court, Drummau Road and Old Road Skewen Neath	
Description:	Request for Screening opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for proposed Skewen Flood Alleviation scheme	
Date of submission:	17.03.2023	
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(h) Inland-waterway construction not included in Schedule 1, canalisation and flood-relief works	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
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. Whilst there would be some physical changes, many of the works that constitute development involve underground engineering works associated with managing fluvial flood risk and surface water drainage, e.g. replacement culverts. There will be the need for above ground contractors' compound (which is permitted development by virtue of Part 4 of the GPDO) as well as localised removal of vegetation along watercourses. On completion of the engineering works the areas along the proposed construction route will be reinstated and landscaping proposals provided to mitigate for the loss of trees and other soft landscaping. The physical changes are considered to 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?	No.	N/A
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?	No.	N/A
Question 1d. Production of Waste		
Will the project produce solid wastes during construction or operation or decommissioning?	No.	N/A
Question 1e. 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.	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 and in proximity to a number of existing noise sources, e.g. railway line and the A465(T).	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	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.	
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. The proposed flood alleviation works have the potential to effect the surrounding hydrology with a risk of contaminants being present on the site which could infiltrate surrounding water networks including the Neath & Tennant Canal and River Clydach. 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 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 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.	Significant effects unlikely.
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	Yes, some small risk of accident given predicted climate change. However, given the scale and type of works involved, such risks are	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
accordance with scientific knowledge during construction or operation of the project?	unlikely to be significant.	
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?	Yes - temporary diversions of the following PRoWs may be required during the implementation of certain elements of the works to allow safe access and egress for the general public to be maintained: • PRoW No. 12 9/1; • PRoW No. 12 21/1 & PRoW No 44 24/1; and • PROW No. 44 25/4 Temporary closure of the towpath along the Tennant Canal may be required to construct the overflow weir into the River Clydach. Any diversions would be temporary in nature for the duration of the works and not a permanent obstruction of public access rights.	Significant effects unlikely.
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?	Yes. During construction, there will be an increased level of traffic and plant on the roads as a result of delivering personnel, materials and plant to site. The A4230 highway provides the principal route into the area. Access for	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	construction traffic to the works will be from the local highway network including the A4230 and the B4290. Construction traffic will also use Caenant Terrace, Drummau Road and an unnamed road off Monastery Road. Adequate provision will need to be made to demonstrate how the materials/waste/spoils would be transported to and from the sites. Daily profile of vehicle movements confirming that vehicle movements are not unnecessarily concentrated on peak traffic hours (08.00-09.00hrs and 17.00-18.00hrs). The proposed traffic assessments should also cover the sections of 'A' roads that are likely to be directly or indirectly affected. However it is considered that any effects in terms of transport would be localised and unlikely to be of a magnitude that would be so significant, such that they would warrant EIA.	
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No.	N/A
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.	Yes. There are a number of designated areas within close proximity. Whilst there would be physical changes to	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, soil, land, water and biodiversity, which could be affected by the project?	surrounding hydrology and ecology, it is considered that any changes 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 appropriate mitigation.	
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. A detailed ecological assessment and associated follow-up, species specific surveys will need to be carried out, with appropriate mitigation and net benefit (enhancement) secured. A biodiversity record search from the South East Wales Biodiversity Records Centre (SEWBReC) should be undertaken to inform the required surveys and the assessment. However the likely ecological effects are not considered to be of such a magnitude that would be so significant, such that they would warrant EIA.	Significant effects unlikely.
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?	Yes. The proposed works are designed to provide additional capacity in the drainage system to alleviate fluvial and surface water flooding with associated alterations to outfall, which, ultimately, is the River Clydach. However the effects are considered unlikely to be of such a magnitude that would be so significant, such that they would warrant EIA.	Significant effects unlikely.
Are there any areas or feature of high landscape or scenic value on or around the location which could be affected by the project?	No.	N/A

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
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?	Yes. The proposed works are designed to provide additional capacity in the drainage system to alleviate fluvial and surface water flooding of existing properties on Caenant Terrace and along Drummau Road, Whitegates Court and Old Road. The implementation of the improved culvert system is intended to reduce the frequency and severity of flooding in the area.	Significant effects unlikely.
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. A number of designated historic assets are located within 500m of the proposed development, but, apart from proposed works to discharge water into the Tennant Canal and works to allow water to discharge from the Tennant Canal into the River Clydach, the proposed works will not be visible from majority of them. The proposed works in the area of the Tennant Canal are likely to require archaeological mitigation in the form of a watching brief and written scheme of investigation. The impact of the proposed works on scheduled monuments GM006 Neath Abbey & Gatehouse and GM394 Tennant Canal: Skewen Cutting and tramroad bridge and listed building 82341 Bridge over Tennant Canal North of former Mines Royal Copper Works will be confined to their settings and careful design of the outfall should ensure that there is no significant effect.	Significant effects unlikely.

Questions to be considered.	Yes, No, Unknown – provide description.	For Yes/Unknown are effects likely to be significant?
	The information contained with the screening request is not sufficient to confirm that there will not be a direct impact on listed building 82339 Clydach Aqueduct on Tennant Canal but careful design should ensure that any changes will not have a significant effect on it or its setting. Consequently the effect of the proposed development on designated historic assets is not considered to be of such significance that an EIA is required.	
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 project? Or in which it is considered there is such a failure? Such as AQMA?	No.	N/A
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 manage fluvial flood risk and surface water drainage and associated engineering works, will inevitably result in a number of effects, most notably in terms of the effects on hydrology. However, whilst these will likely be important considerations for the decision maker and will need to 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:	11.05.2023
Authorised by:	Name:	Nicola Lake
	Signature:	
	Date:	12/05/23