

# Parc Pelenna

EIA Scoping Statement

May 2024



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This statement has been prepared by The Urbanists for Trivselhus UK Holdings Limited to provide planning and EIA consultancy services, in respect of the Parc Pelenna leisure proposals.

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# 1. Introduction

This report sets out the proposed scope of the Environmental Statement that will accompany the Outline planning application for a holiday lodge and leisure development, located on land at Penrhiw Angharad Uchaf, Tonna, Neath, SA11 3QB.

This request for a scoping opinion is submitted in accord with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (Part 4, Reg.14). This states that a request must include:

- “(i) a plan sufficient to identify the land;*
- (ii) a A brief description of the nature and purpose of the development including its location and technical capacity; and*
- (iii) its likely significant effects on the environment; and*
- (iv) such other information or representations as the person making the request may wish to provide or make” - (par.(2)(a)).*

The structure of the report is therefore as follows:

- Section 2 identifies and describes the development site;
- Section 3 briefly describes the proposed development and potential effects;
- Section 4 provides the planning and Environmental Impact Assessment context;
- Section 5 identifies the proposed scope of the Environmental Statement;
- Section 6 identifies how the assessments included in the Environmental Statement will be undertaken;
- Section 7 identifies the supporting technical reports and statements that will be included in the application, but which will not be included in the Environmental Statement;
- Section 8 sets out the conclusions of the scoping statement; and
- Section 9 comprises appendix documents and plans, to support the statement.

## 2. The Development Site

The development site is located on land between the settlements of Tonna and Resolven. The site is approximately 45.5ha and mainly comprises commercial forestry, a former quarry, and grazing land, with occasional use for shooting parties.

There is a mix of existing and previous-historic land cover and uses for the site, including existing residential and other build structures, commercial forestry land, hosting of above-ground electrical lines and below-ground high-pressure gas main, as well grassland pastures. More minor developed areas include hardstanding and amenity gardens. Those historic uses include the distant use of part of the site for cairns dating to the Bronze Age and more modern use for quarrying and coal mining. Further Roman fortifications are present in the local area near the site. Those modern infrastructure and historic elements are spread out across the site..

The site is located on the south-eastern aspect slopes of the Vale of Neath, with existing access via Fairyland Road to the south-east of the site, connecting more widely to the B4434, A465, and thereafter the M4 motorway. A more basic track exists to the north of the site through an area of woodland, connecting the southern upper-slopes to the lower northern area of the site, adjacent to the B4434. Public rights-of-way cross the site, and adjacent is also a bridleway and designated cycle route. The Tennant Canal is located nearby, and a cycle route is located along its canal path which provides connectivity to local settlements.

The site's setting is mainly characterised by variable woodland cover, but also existing open spaces of pasture, areas more recently cleared of woodland, and interspersed built elements or historic remnants. Other natural habitats present include regenerating scrub and woodland, areas of superficial Peat deposits mainly under plantation coniferous woodland, and some

amenity ponds associated with the residential property. The wider local context around the site is also of similar woodland and open pasture. The residential properties are interspersed.

The site is located in a Pre-Assessed Area for wind energy, and approximately 4.5km northeast (at a minimum) is the Pen y Cymoedd Wind Farm. A further proposed wind farm is located further to the south-east of the site, currently progressing through the Development Consent Order (DCO) process for Nationally Significant Infrastructure Projects (NSIP).

## 3. The Proposed Development

### 3.1. Development Description

**The development is proposed to meet a demand for high-end tourism accommodation, located and the design integrated within the local area's natural assets, historic assets, and special landscape character, and which seeks to maintain, preserve, and where possible enhance those existing qualities as part of the proposal.**

The following components of both 'hard' and 'soft' development are proposed, to integrate a holiday home and leisure development within the existing setting and its natural resource offering. This proposal has gone through several stages of design iterations and review, to consider a variety of factors deemed important to consider with regard to the landscape character, ecology, and the needs of the proposal. What has been arrived at is a carefully considered design, which retains and enhances much of the site as existing, and where there are changes does so in a sensitive manner which minimises any effects. This is specifically set out in the Design and Access statement, accompanying this statement.

Proposed built or landscaped elements include:

- 120 Holiday home properties, of both level and raised platform designs.
- A Site-Management-controlled leisure and hospitality clubhouse, including a large communal pool area.
- An associated new internal road and its spurs, accessing the B4434 by way of a new junction.
- Surface-water drainage, including attenuation and discharges to existing watercourses as required.

- Services infrastructure required for the above; including waste water treatment on-site, waste stores, and other piped and electrical cabling as required.
- Hard landscaping altering levels as required, and the soft landscape planting of new trees and other vegetation.

Proposed mitigation, compensation and enhancement elements:

- Ecological enhancement and improved habitat management, sensitive to the context and opportunities of the site, with a particular focus on woodland and transitional habitats; this to provide a Net Benefit for Biodiversity, an Ecosystem Resilience enhancement, and to enhance Green Infrastructure more generally. This coincides with a delivery of no significant effects, given that the need to produce the above betterments for ecology, and this to be carried out solely within the site.
- The above also produces appropriate levels of landscape visual and character mitigation.
- Specific opportunities retained for future restoration of Peat areas, by their safeguarding.
- Proposed provision of educational information boards related to the Scheduled Monument present within the site.
- Any required remediation of land and soils where potential contamination effects may be made harmful or worsened by the proposed development.

The existing residential and outbuilding properties would be proposed for removal, to be replaced by the proposed development. Electrical power lines that transect parts of the site would be respected and suitable offsets provided, as a constraint to any landscaping and development. Likewise, historical remnants in the site and potential effects on the setting of those outside the site are respected by the proposed landscaping and offsets from built elements. The high-pressure gas main that crosses the site in two directions, to and from the nearby pumping station, restricts development within a certain distance to less vulnerable uses. Generally, those areas of vulnerability are proposed to be retained or for landscaping, infrastructure, accesses, and other non-residential use.

An existing basic track is located to the north of the site, through areas of woodland and field, winding up from the valley floor, and the B4434; and would be the proposed location of an improved development site access for construction and later development use.

The proposed scheme has progressed from earlier approvals of a smaller number of holiday lodges, which established the principle of this form of development and use of the site. The proposed enlargement of the scheme has had a high regard to the protection of natural assets and other features of interest within the site; as part of its iterative design process. The development site's place in the wider landscape has been respected throughout, and design iterations have each sought to maximise benefits and reduce potential harm. These iterations have considered the potential for significant effects on the site and wider area, and opportunities to enhance habitats and landscaping. The design has had an extremely high consideration for the retention of Green Infrastructure, as a key requirement for the success of the site as a location desirable for holiday and leisure use.

### 3.2. Development Effects

The potential effects of the proposed development, its construction, and likely operational effects are considered below. These include relevant areas with varying potential to be 'significant', and therefore require some further consideration as to need to have them within the scope of an Environmental Statement for the proposed development. This section therefore acts as an introduction to what will be reviewed in more detail in later sections.

### 3.2.1. Proposed Development and Construction Effects

The proposal aims to firstly avoid impacts to any area of concern, then minimise, mitigate / recover, and only as a last resort compensate within the site for any impact. That consideration of the Mitigation hierarchy has enabled the vast majority of habitats within the site to be retained. Areas of habitat change will mostly consist of minor and low-value trees and scrub, as well as some other grassland-pasture habitat. Some individual trees of higher value will be lost, to facilitate development, but this is very limited and suitable compensation planting will be provided. The proposal has excluded and seeks to retain habitats of higher ecological value, or potential value. Habitat loss impacts will be limited only to the area required for delivery of the proposed development's buildings and associated infrastructures/facilities. The retained site habitat will be protected during construction and after, and subject variably to enhancement planting and improved management post-development. This is proposed as suitable mitigation and compensation for other habitats lost or harmed by development changes.

During construction, there would likely be some localised and temporary disturbance of areas of low to moderate ecologically valued habitat to enable plant access and the undertaking of construction activities. Any disturbed habitat will be restored, with further enhancement and associated management specifically for this purpose, post-construction. The construction process will create some limited, but further, temporary visual and landscape impacts. Those effects will be limited by retaining the vast majority of existing screening vegetation. Post-construction, there will be some visibility of the development from the local area. That will be minimised by building design and screened over time as proposed planting and management of the landscape matures. Some further impacts to the wider area will be had, directly, by the temporary disruption caused as part of creating the new site access. Beyond that, new journeys to and from the site during construction and afterwards will have some residual effect on the local highway network.

There would be changes to the management of surface water, within the site's catchments. This is alongside the discharge of highly treated wastewater into the local network of small watercourses that flow through the site. These changes would be controlled in line with best practice and current standards including the statutory standards for sustainable drainage systems in Wales and to meet NRW permitting requirements to ensure that there aren't any undue impacts hydrologically in the wider catchment beyond the site.



The proposed development and its construction are to highly regard the relative risks and potential effects of the site's historic coal mining, as well as modern gas and electrical infrastructure nearby, to reduce any risk of potential effects to the environment. Similarly, the potential for production of waste material from the site itself during construction, or from those resources brought onto the site, will be minimised and managed sustainably to ensure no significant effects are likely. The lighting proposed would likewise ensure that no significant effects are likely. By providing a considered external lighting strategy, and careful design of the buildings and their placement would reduce, suitable minimisation of potential effects would occur.

### 3.2.2. Development Operation

Separate from the physical changes of the proposed development and those temporary from construction, as well as their resultant effects, there will also be ongoing operational effects. These amount to the effects of visitors using the site and surrounding area's offerings, as well as how the operations behind hosting those visitors are provided and managed.

In the area around the site this is likely to be the effect of increased use of the wider transport network, including active modes on dedicated routes for walking, cycling and bridleways. Likewise, the development is likely to affect an increase in the number of visitors to local attractions, leisure and hospitality premises.

Within the site, a significant offering of facilities and services is to be provided, including those that may support sustainable use of the wider area such as cycle rental. The specific site facilities proposed would make up a large part of the potential effects from visitors, as these aim to retain visitors within the site. The potential effects from those on-site operations are relatively manageable and easily controlled by any management company. These operations include the staffing, deliveries, maintenance, cleaning, and other associated services necessary to sustain a hospitality and leisure development, which includes a pool and bar/restaurant. Given the environmental offering of the site, immediate and wider areas around it, are part of the attraction of the proposal, the development operations are naturally inclined to reduce potential effects.

## 4. Planning Context

### 4.1. Environmental Impact Assessment

The requirements for when a development needs to be subject to EIA are set out in the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. Schedule 1 of the Regulations provides a list of those projects which will always be required to be subjected to EIA, such as nuclear power stations, integrated chemical installations, and metal smelting works. Schedule 2 of the Regulations sets thresholds for development, over which it is more likely that a proposal will require EIA.

Schedule 2 of the Regulations provides a list of projects where EIA is only required if the project is considered likely to give rise to *'significant'* environmental effects. The Schedule provides thresholds beyond which it is considered more likely that the project will require EIA. Development proposals below these thresholds may still be held to be EIA development if they are considered to still have significant environmental effects. Conversely, projects above these thresholds may not be considered to be EIA development if they are not expected to have *'significant'* environmental effects.

An EIA screening exercise with the Local Planning Authority (LPA), based on providing them a simple summary of the proposed development, assessment and reporting, and the site context was undertaken to assess the project's likelihood of having *'significant'* environmental effects. The screening opinion from the Authority confirmed the proposed development was warranted to require an EIA due to the potential for *'significant'* environmental effects. Included in the justification was the cumulative effects of the proposed development, in tandem with a Nationally Significant Infrastructure Project (NSIP).

Where an EIA is deemed to be warranted a request can be made to the Planning Authority to state their opinion as to the scope and level of detail of the information to be provided in the Environmental Statement (ES). This report seeks that opinion from the Planning Authority and includes the content required for the Planning Authority to make that request. In making the request, it is proposed to have a focused ES, which addresses issues with reasonable potential for *'significant'* environmental effects and accounting for suitable mitigation.

## 4.2. Planning

The proposed development site has previously received approval for similar development of a lesser scale, refer to permissions P2008/0854 and P2012/0354. The previous permissions included an equivalent access road to that now proposed, made under the previous Development Plan period.

Table 1: Planning site history

Reference	Proposal	Date	Decision
P2006/108 4	Details under condition 5 (materials for parking areas and tracks) under previous planning consent P2005/0962	27.07.06	Approved (14.09.06)
P2003/094 6	Removal of condition restricting the occupation of dwelling to a person solely/mainly or last employed in agricultural forestry.	04.06.03	Withdrawn (20.09.03)
P2005/128 3	Extend period of time relating to condition 1 of previous planning consent p2003/0261 (removal of near surface pennant sandstone)	09.08.05	Approved (02.11.05)
P2008/08 54	Construction of 4 holiday lodges	15.07.08	Approved (18.08.08)
P2012/035 4	Construction of 32 Holiday homes, new access road, stables and children's play area (Outline).	20.05.14	Approved (20.08.14)
P2017/062 8	Variation of condition 3 to allow an extension of time for a further 2 years for the submission of reserved matters.	30.06.17	Approved (02.08.17)
P2018/061 8	Section 73 application to vary wording of condition 3 of Planning Application P2017/0628 granted on August 2nd 2017 to allow extension of time.	24.06.18	Withdrawn
P2024/018 6	Request for Screening Opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (Wales) Regulations 2017 for the construction of a series of holiday lodges, supporting infrastructure (access, parking, landscaping and drainage) and a clubhouse with a pool, food and drink hospitality and associated	02.04.24	EIA required (12.04.24)

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## 5. Proposed Scope of the Environmental Statement

This section sets out the proposed structure and content of the ES. A summary of the environmental matters to be scoped out are also provided below.

Table 2: Summary of Environmental Scope

Technical Discipline	Scoped Out	Justification for Scoping Out
Alternative Site Assessment	N	N/A
Landscape & Visual Impact	N	N/A
Ecology	N	N/A
Arboriculture	Y	<b>Scoped Out</b> - The Arboricultural Impact Assessment reporting has reviewed the site baseline, including considering the designation of part of the woodland as ‘ancient’. The Assessment concludes that while there may be effects to some trees of value (inc. Category A) there is significant potential to compensate for losses, which has been considered within the proposed development design. The findings of the Archaeological and Heritage Assessment are also pertinent to consideration of arboricultural effects, with historical land use review identifying historic uses and operations on the site that would prevent the woodland from being ‘ancient’. Both assessments are included with this scoping opinion request and based on these assessments there are not likely to be any ‘significant’ arboricultural effects as a result of the proposed development. A more detailed Tree Protection plan would be produced at later stages of planning beyond the Outline application, to ensure that minimal residual effect.

<p><b>Traffic &amp; Transport</b></p>	<p>Y</p>	<p><b>Scoped Out</b> - Based on the scale of the development and the nature of the highway network serving the site, the development is not considered to have reasonable potential for '<i>significant</i>' traffic and transport effects on the local highway network, including the A65 and Junction 43. The Transport Assessment included with the scoping request robustly assesses the likely effects of the scheme and none are deemed to approach the '<i>significant</i>' threshold. This includes the potential for a cumulative effect of the scheme being delivered alongside the redevelopment of the Rheola House site. Existing PRoW and bridleways will also be retained alongside the development, with localised diversions as necessary, and their use supported by the site's planned operational rental of cycles.</p>
<p><b>Air Quality</b></p>	<p>Y</p>	<p><b>Scoped Out</b> - Not raised in the screening opinion and the development is not of a type or scale to generate '<i>significant</i>' air quality effects as traffic generated would be relatively minor, the development does not include uses (directly or associated) that would impact on air quality and there are no adjacent sensitive receptors. An Air Quality Assessment is therefore not deemed to be required. A construction and Environmental Management Plan (CEMP) could manage any temporary and non-significant dust impacts.</p>
<p><b>Noise and vibration</b></p>	<p>Y</p>	<p><b>Scoped Out</b> - The proposed development would not include uses that would generate significant noise and vibration. There are no immediate sensitive receptors, not already subject to existing noise and vibration that the proposed development would produce.</p> <p>Construction activities would require plant operation that would create temporary noise and vibration, but this would be minimised via a Construction Environmental Management Plan, which would ensure that best practice construction techniques are undertaken and agreed upon before the commencement of development.</p>

	<p>The EIA screening raises the potential for significant noise impact on the proposed development from the Nationally Significant Infrastructure Project wind farm that is proposed to the south-east of the development site. The EIA Regulations require the following:</p> <p><i>“The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors—...”....”</i></p> <p><i>(a) population and human health;</i></p> <p><i>(b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(30) and Directive 2009/147/EC(31);</i></p> <p><i>(c) land, soil, water, air and climate;</i></p> <p><i>(d) material assets, cultural heritage and the landscape;</i></p> <p><i>(e) the interaction between the factors referred to in sub-paragraphs (a) to (d).”</i></p> <p><u>- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Part 1, Section 4(2)</u></p> <p>The wind farm itself is the proposal that would produce the environmental effect. The EIA associated with that proposal can assess the effects of noise and vibration on the proposed development as part of its wider assessment of the impact on local receptors.</p> <p>It is accepted that the potential noise effects of the wind farm on the proposed development should be factored into the design of the proposed development to ensure appropriate noise levels for amenity purposes, and this can be addressed through a Noise Technical Note that considers the noise likely levels from the wind farm and ensure suitable levels are retained on-site in public amenity areas and internal buildings.</p> <p>It should be noted that the proposed Mynydd Fforch Dwm windfarm is located approximately 1.6km away at its nearest point (south), on the far side of the Pelenna forest. That proposal’s ES</p>
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		<p>considers noise impacts on the existing farmhouse on the site and states cumulative and individual noise levels would be below 40dB, at up to 36dB from all wind farms in the area.</p> <p>It is thus considered that there would not be <i>'significant'</i> effects from the proposed wind farm's noise, on the site, cumulatively or otherwise.</p>
<b>Health and Safety</b>	Y	<p><b>Scoped Out</b> - Early engagement has been undertaken with the Health and Safety Executive, specifically regarding the high-pressure gas main on the site. The advice provided by the Executive is included with this scoping opinion request and has shaped the scheme design, with the recommended buffer zone distances being fully respected. This is evidenced in the attached illustrative layout. The proposed development would therefore not affect key infrastructure, nor suffer effects from that infrastructure. The development is deemed safe as proposed, meaning no <i>'significant'</i> health and safety effects are likely. With regards to excavations in the risk area during construction, a standard Construction and Environmental Management Plan would ensure there would be no additional potential <i>'significant'</i> effects during construction.</p>
<b>Historic Environment</b>	Y	<p><b>Scoped Out</b> - The Archaeological and Heritage assessment considered the potential impact on the scheduled monuments within the site and those outside the site (including their settings), and also undesignated assets. Only a single Scheduled Monument sits within the site, which is respected and offset from the proposed development. Various undesignated heritage assets related to the site mineral excavations are also respected. The proposed built elements of the scheme are designed to integrate within the existing setting of the site and will have no direct adverse effects on heritage assets. Potential indirect effects are solely positive by utilising screening from existing vegetation, proposed enhanced planting, and improved landscape management. This could include the removal of some trees, as a means of improved management, where they threaten</p>

		<p>scheduled monuments within the site. The further provision of an educational information board around that scheduled monument is proposed, which would further emphasise and communicate its value. The assessment concluded there would be no '<i>significant</i>' effects from the proposed development on either designated or non-designated historic assets. The Assessment is included with this scoping request, for reference.</p>
<p><b>Geoenvironmental</b></p>	<p>Y</p>	<p><b>Scope Out</b> - The heritage consideration of the site sets out a review of the extent of colliery workings within the site. The Phase 1 ground assessment further reviews the coal mining features, the particulars of these, and the implications for development. This is alongside a broader consideration of the site's geological and ground conditions, made by desk study and site visit. Based on the information known about these risks at the site so far, and the layout proposed, there is considered to be some potential for risk, and a Stage 2 Site Investigation would be undertaken after the Outline planning stage.</p> <p>The depth of the coal seams worked are recorded as being between 53m and 283m below ground level, and the locations of a single shaft and multiple adits downslope from the majority of proposed development make impacts potentially lesser; but are still moderate to high risk, at the site level only, because of extensive shallow working.</p> <p>Any potential risks would have to be considered and overcome as part of the proposed engineering works to implement the development. Some potential higher risks have already been avoided by the considered location of proposed design elements, to avoid being near adits and shafts. There are, fortunately, also common and standard methods of securing ground over previous coal workings. As such, the scheme has avoided effects or these would be made non-significant by way of standard methods of mitigation to stabilise such sites. While not detailed further so far, the above is</p>



		considered enough to scope this out of an EIA consideration.
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## 6. Scoping the Environmental Statement Assessments

This section outlines how the assessments included in the Environmental Statement will be undertaken—namely the Alternative Site Assessment, Ecological Impact Assessment and the Landscape and Visual Impact Assessment.

### 6.1. Alternative Site Assessment

#### 6.1.1. Introduction to topic

The EIA regulations require an applicant to provide a *“description of the reasonable alternatives studied by the applicant or appellant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the significant effects of the development on the environment”*.

A key consideration for the proposed development is that planning permission was previously granted for the uses and operations now proposed - refer to planning permissions P2008/0854 and P2012/0354. These permission establish the principle of the proposed development at the proposed site, however, to ensure a viable development the scale of development on the site needs to be increased beyond that originally proposed and which was granted planning permission.

The assessment of alternative sites forms a key consideration of the Environmental Statement, setting out the requirements for the proposed development to be in the selected location above any reasonable other. This assessment shall consider the key criteria that the proposed development requires to be viable. A key consideration for this site is that there is already a proven case for the development to be located at the proposed site as planning permission has previously been granted for the proposed use - refer to planning permissions

## 6.1.2. Legislation, Policy and Guidance

No single legislation, policy or guidance consistently sets out the requirements or scope of considerations for an alternative site assessment; rather it is to be particular to the context of the proposed development. However, one of the commitments established by the Institute of Environmental Management and Assessment in its EIA Quality Mark scheme is that practitioners commit to ensuring that EIAs refer to any development alternatives considered during the process and that the influences of such alternatives on the proposed development are transparently set out. The regulations only require Environmental Statements to present a discussion of alternatives, however, good practice encourages applicants to include the following in the discussion:

- Alternative locations and scales of development;
- Alternative site layouts and access arrangements;
- Different approaches to scheme design; and
- Alternative processes and alternative phasing of construction.

## 6.1.3. Methodology

In light of the requirements of the regulations and guidance and considering the context to the proposed development at the proposed location, it is considered reasonable to approach the alternative site assessment as follows:

- Location and scale of development - The chapter will explain why the proposed site is the selected site. Due to the planning and development history at the site, this will not include a consideration of alternative sites, since the case for development at the site is set by the planning history and the need for a viable business case as evidenced in the business plan. However, it will explain how the site is deemed to be the optimum location based on a series of key site requirements that will make the proposed development so unique. These will include land ownership certainty; accessibility to the M4 corridor; outstanding landscape setting; preference to deliver the development of brownfield land; access to local services in nearby centres; and proximity to other leisure assets. The chapter will also explain why the development needs to be to the scale proposed; this will focus on the increase in the scale of the development beyond that proposed in the original planning permissions, which is a requirement to deliver a commercially viable development.

- Alternative site layouts and access arrangements - Detail the alternative site layout approaches that have been considered in the design of the proposed development, including access arrangements.
- Different approaches to scheme design - Detail the alternative design approaches that have been considered for key elements of the proposed development.
- Alternative processes and alternative phasing of construction - Construction techniques are not yet known, so it is not proposed to cover alternatives, however, the chapter could discuss why the operations included in the development are proposed and considered to combine to create a distinctive and viable development.

## 6.2. Landscape & Visual Impact

### 6.2.1. Introduction to topic

The Landscape ES Chapter will comprise a Landscape and Visual Impact Assessment (LVIA) and will be undertaken by qualified and Chartered Landscape Architects. It will consider landscape and visual impacts by outlining the existing and baseline conditions at the site and in the surrounding area, reviewing the relevant policy framework, considering the impacts of the Proposed Development on baseline conditions, considering existing mitigation and where necessary proposing any further mitigation measures. Landscape and visual effects are independent but related issues. Landscape effects relate to changes to the landscape fabric and the features contained within the landscape character; visual effects relate to the appearance of such changes within views and the resulting effect on visual amenity.

A Landscape and Visual Appraisal accompanies this statement, and this looks at the initial aspects that require consideration, as part of a LVIA. The LVIA will include the LVA's examination of the current on-site landscape and visual baseline conditions and its evaluation of the site in its broader context; with reference to sensitive visual receptors, landscape designations and published landscape character assessments. The assessment process has involved an ongoing analysis of the likely landscape and visual effects of the evolving development proposals and, where potential 'significant' impacts have not been able to be avoided through an iterative design process, recommendations for additional mitigation measures have been proposed and incorporated into the design.

As part of the LVIA only, a consideration of the potential for impacts cumulatively with other proposed or forthcoming developments will be undertaken. The outcome of this will be summarised into the potential landscape and visual impact, overall, and a consideration of the potential for 'significant' environmental effects in respect of Landscape Character and Visual Amenity. The LVIA will follow best practice guidance to determine any likely 'significant' effects on landscape character and visual amenity. It will apply a combination of desktop study, site survey and review of relevant published documents. The likely significant and residual effects, after any proposed or recommended mitigation, would be assessed.

## 6.2.2. Legislation, Policy and Guidance

- National Parks and Access to the Countryside Act (1949)
- Environment Act (1995)
- Countryside and Rights of Way Act (2000)
- Well Being of Future Generations (Wales) Act (2015)
- The Planning (Wales) Act 2015 (relevant to DNS)
- Environment Act (Wales) (2016)
- Environmental Impact Assessment (Wales) Regulations (2017)
- Guidelines for Landscape and Visual Impact Assessment, third edition (LI and IEMA, 2013)
- Relevant policies of the Neath Port Talbot Local Development Plan 2011-2026, including:
  - Policy EN2 Special Landscape Areas
  - Policy EN6 Important Biodiversity and Geodiversity Sites
  - Policy TR2 Design and Access of New Development

## 6.2.3. Potential Impacts

Potential impacts, both adverse and beneficial, from the construction and operation of the development could include:

- Effects on the Vale of Neath Special Landscape Area and its users/visitors;
- Cumulative impacts alongside proposed windfarm development in the surrounding landscape;
- Impacts from the proposed development resulting from scale (spatial spread or any single element of design) and location;
- Loss or modification of landscape features and character; but also

- Development visibility resulting from vegetation removal; and additionally
- Amended visual context of the site because of development proposed, from their form as well as the ongoing management of the associated landscape features; alongside other
- Other Visual amenity changes from proposed use, in the site and the wider area nearby;
- Other Visual amenity changes to the setting of public routes, in the site and wider area nearby;

#### 6.2.4. Methodology

The LVIA will be undertaken in accordance with the principles embodied in Guidelines for Landscape and Visual Impact Assessment – Third Edition (LI/IEMA, 2013) (GLVIA3) and other best practice guidance, insofar as it is relevant to non-EIA schemes. These include components of:

- Familiarisation: The LVIA will include reviews of aerial photographs, web searches, Local Planning Authority (LPA) publications and landscape character assessments. Where possible, information about relevant landscape and other designations such as Areas of Outstanding Natural Beauty (AONBs), conservation areas and parks and gardens listed on Cadw's 'Register of Historic Parks and Gardens of Special Historic Interest' (RPG) will also be obtained.
- Field Assessment: Landscape Architects will undertake a comprehensive field assessment of local site circumstances, including a photographic survey of the character and fabric of the site and its surroundings, using photography from a number of representative viewpoints which will be agreed with the planning authority. Field assessments will be undertaken by a qualified landscape architect, preferably in dry weather conditions and when visibility is fit for purpose.
- Design Inputs: The field assessment will inform a process whereby the development proposals will be refined to avoid, minimise, or compensate for landscape and visual effects. Such measures will be detailed in the LVIA and summarised in the ES Chapter.
- Assessment methodology: Predicted effects on the landscape resource arising from the proposed development will be determined in accordance with the principles

embedded within published best practice guidance (GLVIA3) insofar as the assessment will adopt the following well-established, structured approach:

- Likely effects on landscape character and visual amenity to be dealt with separately;
- The assessment of likely effects will be reached using a structured methodology. The definition of sensitivity, magnitude and significance will be set out within the LVIA. This framework is then combined with professional judgement, which is an important part of the assessment process; being neither 'pro' nor 'anti' development but acknowledging that development may result in beneficial change as well as landscape harm;
- As advised in GLVIA3, the baseline will take into account the effects of any proposed mitigation; and
- Typically, a 15-year time horizon is used as the basis for conclusions about the residual levels of effect. Fifteen years is a well-established and accepted compromise between assessing the short-term effects (which may often be rather 'raw' before any proposed mitigation has had time to take effect) and an excessively long-time period

## 6.3. Ecology

### 6.3.1. Introduction to topic

This chapter will assess the likely ecological effects of the proposed development on the site and the surrounding area. It will identify appropriate Mitigation measures, and assess the significance of effects with and without that Mitigation, discuss any remaining residual (remaining) effects as well as potential cumulative effects, and come to a conclusion of the development effects overall. It will comprise those sections outlined below in consideration of the methodology.

The consideration of likely effects will be based on a review of what is the suitable scope of assessment, regarding habitats, and species likely present, as well as the potential impacts of the proposed development's form and scale on those. That assessment will consider the degree of change the development would create, as well as the significance of any resultant change to habitats / species, in its consideration of what is to be considered a 'likely effect'.

As part of that consideration of suitable scope and potential effects, this chapter will also review the significant history of faunal surveys at the site, including for protected and priority species. These comprise: Phase 1 habitat surveys, bat roost assessment, bat activity assessment, reptile surveys, invertebrate surveys, and breeding bird surveys.

It will also consider the habitat Mitigation and enhancement proposed, and suggest any further requirements to ensure that no significant effects would be had on any habitat or species. Those would be implemented as part of any final scheme, to ensure a Net Benefit for Biodiversity and Ecological Resilience enhancement would occur, and so would be relied upon in any assessment. The resultant level of 'residual' effects would be an outcome of this assessment, used to understand the acceptability of the scheme. The consideration will include any scale of those residual effects that are considered likely. There will also be a consideration of their potential cumulative effects, in tandem with other proposed schemes, if relevant.

### 6.3.2. Legislation, Policy and Guidance

In addition to the EIA Regulations, the assessment will consider the following legislation and planning policy:

- The Wildlife and Countryside Act (1981);
- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019;
- The Natural Environment and Rural Communities Act (2006);
- Protection of Badgers Act (1992);
- Countryside and Rights of Way Act (2000);
- Wild Mammals (Protection) Act (1996); and
- Environment (Wales) Act (2016)
- Planning Policy Wales Edition 12 (2024)
- Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)
- Biodiversity Action Plans (BAP)
- Neath Port Talbot Local Development Plan (2011-2026)
- Supplementary Planning Guidance: Biodiversity and Geodiversity (May 2018)
- Neath Port Talbot Biodiversity Duty Plan 2023-2026

### 6.3.3. Potential Impacts

Potential impacts from the construction and operation of the development could include:

- Direct and indirect loss of or harm to habitat, with the potential to be of significant ecological importance through site clearance and construction activities;
- Damage to habitats through pollution events;
- Isolation and fragmentation of habitats;
- Changes in baseline noise and vibration, air quality and light levels;
- Increased disturbance during the construction and operation of the development; and
- Consequential impacts to and effect on protected species, species of principal importance, and notable species

Those potential development impacts will be considered in the ecology ES Chapter both individually and cumulatively with regard to other the site as well as external. Where necessary, the suitable protection of habitats or features commensurate to their assessed importance, is or will be further incorporated into the design should there be any significant effects.

The Table 1.1 below shows the summary of likely potential effects, mitigation and likely residual effects of the proposed development on ecological features, and whether they are scoped in or out of the EIA process. Ecological features have been assessed from surveys of



the site undertaken between 2020 and 2024 and are valued in accordance with CIEEM guidance. Features of importance at the 'Local' level and above have been scoped into the EIA process. Features of importance beneath the 'Local' level (i.e. those of 'Site' level and 'Negligible' importance) have been scoped out of the EIA process, as effects on these features would not be deemed to be significant in accordance with EIA guidance. Where mitigation is required for ecological features of 'Site' level and 'Negligible' importance, for example for legal or biodiversity gain purposes, these would nevertheless be described in the ES chapter.

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Table 1.1: Summary of Likely Ecological Receptors, Potential Effects, Mitigation and Likely Residual Effects of Proposed Development, and Scoped In or Out of EIA							
Feature	Ecological Importance	Significance of Potential Effects (negative unless indicated otherwise)		Mitigation	Significance of Residual Effects (negative unless indicated otherwise)		Scoped in to EIA? (Y/N)
		Construction Stage	Operational Stage		Construction Stage	Operational Stage	
Designated Sites	Local	Local	Local	CEMP implementation	No Significant effects	No Significant effects	Y
Ancient Woodland	Irreplaceable to Local	Local	No Significant effects	CEMP implementation, retention of habitats wherever possible, retention of stockpiled soil, replacement tree planting, removal of invasive species, education of visitors about the importance of habitats on the site, enhancement of retained habitats, and long term ecological management of habitats on the site	Site	No Significant effects	Y
Habitats	Up to Local Level	Local	Local	Retention and enhancement of habitats wherever possible, removal of invasive species, creation of new habitats and green infrastructure, education of visitors about the importance of habitats on the site and long term ecological management of habitats on the site	Site	Site, potential for positive effects	Y

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Invertebrates	Local Level	Local	Site	Provision of new habitats, management of existing habitats to create more diversity, and green infrastructure such as biodiverse roofs and SUDs	Site	Site, potential for positive effects	Y
Amphibians	Site Level	Site	Site	Implementation of an appropriate CEMP, including an ECoW on site during work, provision of new habitat including ponds and wetland features.	No Significant effects	No Significant effects	N
Reptiles	Local Level	Site	Site	Detailed Reptile Method Statement mitigation strategy which would include exclusion and/or translocation of individuals from construction areas, work in the presence of an experienced ECoW, and creation of new habitat suitable for reptiles around lodges and in woodland glades	No Significant effects	No Significant effects, potential for positive effects	Y
Birds	Local Level	Local	Local	Undertake work at suitable times of year, presence of an ECoW during vegetation clearance, provision of new habitat including bird boxes and wetland features, and long term ecological management of the site	Site	No Significant effects	Y
Bats	Local Level	Local	Local	Work under licence to NRW, update surveys of trees due for felling, provision of new roosting and foraging habitat, and a sensitive lighting strategy	Site	No Significant effects	Y
Badger	Site Level	Site	No Significant effects	Walkover by an ecologist prior to the start of construction, habitat enhancements	No Significant effects	No Significant effects	N

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Hedgehog	Site Level	Site	No Significant effects	Removal of vegetation in a sensitive manner and provision of new habitat	No Significant effects	No Significant effects, potential for positive effects	N
Polecat	Site Level	Site	No Significant effects	Removal of vegetation in a sensitive manner	Site	No Significant effects	N
Brown Hare	Local Level	Site	Site	Removal of vegetation in a sensitive manner	Site	No Significant effects	Y

#### **6.3.4. Methodology**

The Site's ecology context and the potential proposed development are to be reviewed, to comprise the following sections, aligning with the guidance on EIA produced by the Chartered Institute of Ecology and Environment Management (CIEEM):

- Executive Summary - setting out an appraisal of the process in brief, highlighting key considerations and outcomes.
- Introduction - This section sets out the use of guidelines, the differing scales of Ecological Impact Assessment, the need for a proportionate, rigorous, and transparent approach, key principles and the EclA process of which has been undertaken with regard to the Outline development proposal.
- Scoping - This will outline the high-level consideration of what should be scoped into the assessment, considering the site but also areas at a relevant distance nearby or connected to site, in tandem with the sensitivity of habitats/features/species, and the likelihood of effects from development proposed. By this it is possible to scope out those elements of potential effects which are not likely, or which are likely but clearly non-significant.
- Legislation, Policy and Guidance - The scope of the assessment is also informed by the relevant policy and legal frameworks, which inform the concern to be had for habitats and species, as well as promote their vulnerability or relative importance.
- Establishing the Baseline - This will be a consideration of the existing site's ecological context and that of other relevant areas, by way of both desk-based study and any surveys of the site. It includes assessing the future changes to the site or interim impacts, any potential changes/impacts to other areas, and a review of these together with other proposed development that may affect the same areas (cumulatively). It will summarise what is to be scoped out of the assessment based on the above.
- Important Ecological Features - Definition and consideration of what is an 'important' ecological habitat/feature/species presence in the context of the site, and therefore scoped into the assessment by scale of its significance (sensitivity); should the scale of effects be anything but negligible or none.
- Impact Assessment - A review of the procedure for impact assessment itself in an ecological context, by way of the assessment of potential effects of the development,

both by design, implementation, and operation consideration, on each relevant habitat/feature/species.

- Mitigation Hierarchy - The above impacts are to be reviewed with regard to any Mitigation proposed, and the resultant level and form of effects. These can take the form of mitigation integrated and inherent to the design, a feature of management during construction or post-development and any responsive actions as part of that. Those 'residual' effects are then able to be discussed individually and cumulatively with each other within the site, outside the site, or in combination with other proposed development in relevant areas.
- Consequences for Decision-Making - This final section will consider legal as well as national and local policy implications. Following this, a review of the mechanisms by which detailed design and implementation can be assured is to be produced. This will ensure that the competent authority can positively consider this ES chapter.

## 7. Supporting Reports and Statements

In addition to the Environmental Statement, the Outline planning application will include a suite of technical documents that either: a) ensure the environmental effects at the site level are fully assessed and recorded, or, b) set out those further works required which may only impact non-significantly, with or without standard Mitigations. These are summarised below and include those necessary to address the topics proposed to be scoped out of the Environmental Statement in suitable detail - namely Ecological Impact Assessment, Landscape and Visual Appraisal, and the Business Case

Table 3: Summary of the wider Outline planning application content.

Drawings	Technical Reports
Site Location Plan	Design and Access Statement
Existing Site Plan - Phase 1 Habitats	Planning Statement
Topographic Survey / Existing Levels Plan	Pre-application Consultation Report
Proposed Levels Plan	Arboricultural Impact Assessment
Concept masterplan	Transport Assessment
Illustrative Landscape Masterplan	Ecological Impact Assessment
Initial Lighting Strategy	Outline Green Infrastructure Statement
Road and Levels Assessment	Landscape and Visual Appraisal
SuDS Assessment	Phase 1 Ground Conditions Desk Study, including walkover, and appendix desktop Coal Mining Risk Assessment.
Drainage Catchment Assessment	Arboricultural Impact Assessment
	Archaeological and Heritage Assessment
	Drainage Strategy
	Utilities Technical Statement
	Energy Feasibility Report
	Business Case - <b>COMMERCIALLY SENSITIVE*</b>

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## 8. Conclusion

The scope of the Environmental Statement proposed in this Scoping Report shall ensure the likely '*significant*' environmental effects of the proposed development are comprehensively considered. The scope proposed is considered reasonable and proportionate to the nature of the proposed development and the '*significant*' effects that may arise. Other environmental areas not deemed to warrant inclusion in the Environmental Statement will be fully considered in comprehensive technical reports that will be included in the planning application. The Scoping Report identifies these for reference.

### Summary of the Environmental Statement (Vol.1)

1. Introduction
2. Legislative Context and EIA Process
3. Site and Surroundings
4. Proposed Development
5. Alternative Sites
6. Landscape and Visual
7. Ecology

In addition, technical appendices for each chapter will be provided in Vol.2 of the Environmental Statement and a Non-Technical Summary will be included in Vol.3 of the Environmental Statement.



## 9. Appendices - Draft Documents

- 9.1 Site Location Plan
- 9.2 Concept Masterplan
- 9.3 Illustrative Site Masterplan
- 9.4 Initial Lighting Strategy
- 9.5 Design and Access Statement
- 9.6 Ecological Impact Assessment
- 9.7 Landscape and Visual Appraisal
- 9.8 Transport Assessment
- 9.8 Archaeological and Heritage Assessment
- 9.9 Phase 1 Ground Conditions Desk Study and Walkover
- 9.11 HSE search results and Correspondence
- 9.12 Mynydd Fforch Dwm ES - Noise - Extract
- 9.13 Arboricultural Impact Assessment
- 9.14 Draft Business Case - **COMMERCIALLY SENSITIVE\***

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