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Date:

6th December 2022

Dear Madam

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

Application No: 2022/2462/SCR
Site Location: Land At Fairwood Terrace Gowerton Swansea
Proposal: SCREENING OPINION - Outline application for a residential development of circa 230 dwellings: associated infrastructure: the provision of 50 park and ride spaces associated to Gowerton railway station: associated public open space.

I refer to your application for the above development.

It has been necessary for the Local Planning Authority to adopt a screening opinion to comply with the above Regulations.

In accordance with the above Regulations, please find enclosed a copy of the screening opinion of the Local Planning Authority, which is that an Environmental Impact Assessment is **not** required. The application will therefore be processed in the normal way and the case officer, Lucy Kelly, will contact you if any further information is required.

Yours faithfully

Ian Davies

Ian Davies
Development Manager

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

APPLICATION NO: 2022/2462/SCR
FOR: SCREENING OPINION - Outline application for a residential development of circa 230 dwellings: associated infrastructure: the provision of 50 park and ride spaces associated to Gowerton railway station: associated public open space.
AT: Land At Fairwood Terrace Gowerton Swansea

Screening of application for requirement for an Environmental Impact Assessment to accompany the application in accordance with Regulation 8 of the above Regulations.

Identified category of development: The development proposed, falls within the description in Column 1, paragraph 10(b), of the table in Schedule 2 to the 2017 regulations – as “urban development” – and is located within a “sensitive area”, as defined in Regulations 2(1), of the Regulations.

Assessment: Having taken into account the criteria in Schedule 3 to the above Regulations it is not considered that the development would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Decision: Environmental Impact Assessment is not required.

Team Leader C Healey Date 6th December 2022

Screening Opinion

To consider whether an Environmental Impact Assessment ('EIA') is required in connection with the above development, as the proposals fall within the definition of 'Schedule 2 Development' as defined by the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (hereinafter referred to as 'the Regulations').

1. Does the development fall within Schedule 2, and if it does, does the development meet the relevant thresholds and criteria in Schedule 2?

The relevant extract from the table in Schedule 2 (10(b)) is set out below and highlights the thresholds and criteria for energy applications, which includes this proposal.

Description of development	Applicable thresholds and criteria
Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas	(ii) the development includes more than 150 dwelling houses; or (iii) the overall area of the development exceeds 5 hectares

This proposal qualifies as a Schedule 2 development under the above Regulations as the indicative capacity shown for the development is 230. The site area is approximately 8.7ha.

2. Does the development fall within a Sensitive Area?

In terms of the EIA Regulations "sensitive area" means any of the following:

- Sites of Special Scientific Interest
- Land Subject to Nature Conservation Orders
- International Conservation Sites
- National Scenic Areas
- World Heritage Sites
- Scheduled Ancient Monuments
- National Parks

This proposal is not located within a sensitive site as defined above.

The site lies approximately 1.5km to the east of the Lower Loughor Valley and Estuary and Southern part of the Burry Inlet Special Landscape Area (SLA). There are two European designated species for nature conservation within 10km of the site – Carmarthen Bay and Estuaries Special Area of Conservation (SAC) located c.1.5km west of the site, Burry Inlet Special Protection Area (SPA) and Ramsar located c. 1.5km west of the site

There are five nationally designated sites for nature conservation within 5km of the site – Burry Inlet and Loughor Estuary SSSI, Nant y Crimp SSSI, Penllergaer Railway Cutting SSSI, Penplas Grasslands SSSI, and the Fairwood, Pengwern and Welshmoor SSSI.

The site is wholly located within a Site of Importance for Nature Conservation - Alcoa Wet Meadows SINC and the site lies adjacent to the Main Swansea to Fishguard Railway Line SINC.

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3. Is the development likely to have a significant effect on the environment?

Whilst Circular 11/1999 specifically refers to the 1999 EIA Regulations, which have been amended and subsequently superseded, it provides a useful indication for the considerations that need to be taken into account in determining whether EIA is needed. Paragraph 32 states:

“The Local Planning Authority must screen every application for Schedule 2 development in order to determine whether or not an EIA is required. In each case the basic question to be asked is ‘Would this particular development be likely to have significant effects on the environment?’

The following paragraphs indicate the considerations which should be taken into account in making the determination.

Paragraph 33 identifies the ‘selection’ criteria and states that:

“As a starting point, authorities should study Schedule 3 to the Regulations which sets out the selection criteria which must be taken into account in determining whether a development is likely to have significant effects on the environment. Not all of the criteria will be relevant in each case. It identifies three broad criteria which should be considered:

- Characteristics of the development
- Location of the development
- Characteristics of the potential impact

1. CHARACTERISTICS OF THE DEVELOPMENT

a) The size and design of development

The site forms part of a wider allocated Strategic Development Area (SD H) within the adopted LDP for a residential led development also comprising a primary school, public realm, commercial units, community buildings and an Employment Site. SD H as a whole incorporates a mixture of Greenfield Land and Brownfield Land. The application site to which this EIA screening relates, is at Fairwood Terrace and is for approximately 230 dwellings and associated landscaping and infrastructure, along with the provision of a park and ride/Transport Hub. The site is located immediately to the north of Gowerton railway station. The land is also a mixture of previously developed land and greenfield land, with the previously developed land being utilised as a Tin Plate Works, However this has been fully demolished, and the land has regenerated tree and shrub growth.

The scale of the development will respond to the characteristics of the site and the surrounding townscape. It is proposed that housing / flats will be built to a maximum of three/four storeys in the higher density central area, with 2 storey dwellings and reduced density towards the eastern and western ends of the site. The massing of the built form will vary and could include short terraces as well as semi-detached and detached homes. Development will be of a mixed palette and will draw on the materials and characteristics of the area. In light of the above, the size and design of the proposed development would not be out of context with existing development in the vicinity.

Paragraph A19 of Annex A of WO Circular 11/99: Environmental Impact Assessments (EIA) states that an EIA is more likely to be required if the development would have significant urbanising effects in a previously non-urbanised area (e.g., a new development of more than 1000 dwellings or the site area of the scheme is more than 5 hectares). Whilst the site area exceeds 5 hectares the number of units is significantly below the indicative threshold for residential units. Whilst the site itself is

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currently heavily vegetated, (formerly brownfield industrial use), the surrounding area to the south, east and west is already an urbanised area.

b) The cumulation with other existing development and/ or approved development

Planning consent for the construction of up to 100 dwellings was approved on the former Gorwydd Colliery site (on the opposite side of the railway line to the south) on the 10th August 2018 (ref: 2017/1451/OUT). Subsequent Reserved Matters (2018/1894/RES) for the construction of 99 dwellings was approved on 19th January 2019 and is currently under construction.

It is noted that the site subject of this Screening Opinion (SCR) forms part of a larger Strategic Development Area and an application could be submitted for this development at any point before, or during the course of, an application on this site. It is therefore prudent to consider the cumulative impact of the development with the remainder of the site. The Strategic Development Site H includes an area of land to the east of the SCR site, measuring approximately 17.3ha, which is allocated in the LDP for a comprehensive mixed-use development of circa 486 homes during the plan period incorporating public realm, a primary school, commercial units, community buildings and a regional employment site (B1, B2 and B8 uses). This part of the strategic site is currently occupied by buildings associated with its industrial use and open land. It is considered that if this additional 17.3ha site were to be included within this screening opinion, it would still be under the threshold for an EIA of 1000 dwellings and the additional uses would not result in the development having a significant impact.

The site lies to the south of a site of a potential Development of National Significance (DNS) for a Solar Farm, which has been subject to a separate EIA Screening Opinion (2022/1119/SCR) undertaken by PEDW which concluded that the solar farm did not constitute EIA development (dated 17th August 2022)

There are no other known schemes or LDP allocations in close proximity that would need to be considered as part of this cumulative assessment.

c) The use of natural resources (in particular land, soil, water and biodiversity)

The site is allocated as a strategic site for residential development within the LDP. Due to the previous industrial uses and some level differences across the site, there may be some stepped development, but it is likely that the developer will have to remove some level of contaminated land that may exist on the site. The level of build is not considered to be significant in EIA terms. The current vegetated land would be lost but this is to be expected on an allocated site.

It is considered that the proposal will not raise any significant issues in relation to the use of natural resources. It is noted that the development is not for an extractive or energy project. It is anticipated that the use of natural resources will be confined to the use of building materials such as sand and gravel. These will not be sourced from the site.

d) The production of waste

It is expected that the development would produce waste consistent with development of this type. It is anticipated that excavated material (top soil / sub soil) will be reused on site where appropriate and any contaminated land exposed would be exported off site for disposal elsewhere. It is not considered that the production of waste from this development, either during the construction phase or the intended residential use would result in the need for an Environmental Impact Assessment.

e) Pollution and nuisance

The construction phase would give rise to general noise and dust disturbance and the risk of pollutants entering the land associated with a residential development. These matters can all be adequately addressed via a suitable Construction Environmental Management Plan (CEMP).

There would be plant and vehicle emissions associated with construction traffic and operational traffic. The number of vehicles travelling to and from the site during the operational phase would be associated with the proposed development. It is envisaged that operational traffic will be dispersed throughout the local highway network, including travelling towards Junction 47 of the M4.

Materials and fuels required for the construction phase would be stored in accordance with relevant legislation applicable at the time. It is not anticipated that the operational use would give rise to any significant risk from hazardous substances or toxic emissions to air, nor would it be likely that there would be a requirement to store large volumes of hazardous materials.

Given the information submitted and the location of the site, it is not considered that the development would result in a statutory pollution nuisance. There is the potential for noise and dust during the construction period alone but this could be controlled by other legislation and/or conditions to ensure there is no ongoing potential for pollution and nuisance that would be of 'significance' in EIA terms. These issues will be considered further as part of the application process.

f) Risk of accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with specific knowledge

It is anticipated that appropriate risk assessments and Health and Safety documentation will apply to the proposed construction site. The development is not for an inherently hazardous or risk prone form of development. It is anticipated that highways within the site will be designed to the adoptable standards of the local highway authority and will include lighting. Construction activities on site will be controlled through health and safety legislations and practices.

Given the scale, location and proposed use of the development, it is not considered that it will give rise to the risk of major accidents and/or disasters. The effects of climate change will be considered during the design process.

g) The risks to human health (for example, due to water contamination or air pollution)

See (e) and (f) above – the human health risks posed by the development are not considered to be significant, based on the size of the development, its location and the nature of the proposed activities. It is considered that any adverse impacts can be adequately mitigated with the design of the development.

During the construction phase it is anticipated that best practice will be adopted to seek to prevent accidental spillages of contaminants or harmful dust deposition. The number of vehicles travelling to and from the site during the operational phase would be associated with the proposed development and a Transport Assessment and Travel Plan will be prepared to accompany any planning application.

The proposed land uses do not give rise to any significant risks to human health.

2. Location of development

The environmental sensitivity of the geographical areas which are likely to be affected by the development have been considered with particular regard to:

a) The existing and proposed land use

The site is a mix of vegetated land, brownfield land and scrub. It has no statutory or non-statutory designations for nature conservation or landscape and has been allocated under Policy SD H residential use development within the LDP.

The site is designated as a SINC, which is a non-statutory designation. As part of the development proposals, appropriate mitigation and compensation will be provided to offset any impacts of the loss of a part of the SINC. However as previously noted, the principle of residential development has already been established through the allocation of SD H.

b) The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

The site lies within Flood Zone A of the Natural Resources Wales (NRW) Development Advice Map (DAM). This zone defines areas considered to be 'at little or no risk of fluvial or coastal/tidal flooding'.

The Draft Flood Maps for Wales however illustrates sections of the eastern section of the site being within 'Zone 3'. Therefore, a Flood Consequence Assessment (FCA) will be submitted in support of any future planning application to ensure that the proposals are acceptable in regards to flooding.

Surface water on the site will be appropriately managed through the statutory SuDS approval process. A Drainage Strategy will accompany any future planning application and a SAB approval will need to be obtained.

The site lies to the south of a Special Landscape Area (SLA) but does not form part of the SLA (LDP Policy ER5). As previously noted, the principle of residential development has already been established through the allocation of SD H.

The site does not form part of any statutory designated landscape designation and lies approximately 3.2m to the north of the Gower AONB.

There is no Ancient Woodland within the site, with the nearest block of Ancient Woodland being located approximately 480 metres to the north-east of the site. The woodland within the site is secondary, mainly growing on the site of the former tin plate works, site boundaries and stockpiles.

The site lies approximately 1.5km to the east of the Lower Loughor Valley and Estuary and Southern part of the Burry Inlet Special Landscape Area (SLA). There are two European designated species for nature conservation within 10km of the site – Carmarthen Bay and Estuaries Special Area of Conservation (SAC) located c.1.5km west of the site, Burry Inlet Special Protection Area (SPA) and Ramsar located c. 1.5km west of the site

There are five nationally designated sites for nature conservation within 5km of the site – Burry Inlet and Loughor Estuary SSSI, Nant y Crimp SSSI, Penllergaer Railway Cutting SSSI, Penplas Grasslands SSSI, and the Fairwood, Pengwern and Welshmoor SSSI.

The site is wholly located within a Site of Importance for Nature Conservation - Alcoa Wet Meadows SINC and the site lies adjacent to the Main Swansea to Fishguard Railway Line SINC. Mitigation

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and compensation will therefore be considered as part of any future planning application to ensure that there is no significant impact and that the proposal will comply with Policy ER6 – Designated Sites of Ecological Importance.

By virtue of the size and residential nature of the proposal, it is not considered the proposed development would result in any significant physical impact on natural resources of the area. The site is not subject to designation as a mineral resource.

c) The absorption capacity of the natural environment:

With regard to points i, ii, iii, iv, v, and vi, the site is not within a 'sensitive area' as defined by the EIA Regulations.

(vii) This site has been allocated as one of four Strategic Development Areas within the Greater Northwest (GNW) Zone. Gowerton had a population of circa 5,212 in the 2011 census. It is therefore not considered that this development of approx. 230 homes will have significant effects on Gowerton as a settlement. Its acceptability for such growth has been considered acceptable by virtue of the site's allocation under Policy SD H.

(viii) There are no scheduled monuments within the site, the nearest being c. 1.6km to the north-east of the development boundary. There are no listed buildings within the site; no conservation areas, registered parks, gardens or historic landscapes are present in the locality.

GGAT have advised that from information in the Historic Environment Record (HER) indicates the presence of Fairwood Tinplate Works and New Gorwydd Colliery, as well as other industrial remains including a canal and leat. Therefore, there is the potential for archaeologically significant structures or features to be adversely affected by the proposal. As a result, the covering letter indicates that a Heritage and Archaeological Assessment has been completed. Such an approach is appropriate and in accordance with Planning Policy Wales, Eleventh Edition February 2021, Paragraph 6.1.26 and Technical Advice Note 24, May 2017, Paragraphs 4.7.

The archaeological resource will be assessed and appropriately conditioned as part of any future planning application.

As such there is no necessity for the archaeological impact to be additionally considered as part of an EIA.

3. Types and Characteristics of Potential Impact

The likely significant effects of the development on the environment have been considered in relation to criteria set out in paras 1 and 2 above, and with regard to the impact of the development on the factors specified in regulation 4(2) taking in to account –

- (a) population and human health;
- (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC(1) and Directive 2009/147/EC(2);
- (c) land, soil, water, air and climate;
- (d) material assets, cultural heritage and the landscape; and
- (e) the interaction between the factors listed in sub-paragraphs (a) to (d).

a) The magnitude and spatial extent of the impact (geographical area and size of the affected population)

The extent of the potential impacts is likely to be localised, affecting a relatively small population.

The proposed development is confined to approximately 8.7ha of land at Gowerton.

The proposed development will have an impact on the surrounding highway network in terms of additional traffic associated with scheme of the scale of the proposed development. Given the proposed operation of the site, significant negative effects on the local highway network are not anticipated. It is not considered that the proposals would have a significant operational impact that would warrant an Environmental Statement.

Other matters such as drainage, ecology, heritage and noise are not considered to have an impact beyond the site itself and its immediate environs.

Whilst the proposed development will be visible from outside the site, it is not considered that it will give rise to any significant environmental effects. A Landscape & Visual Assessment (LVIA) will be required. It is recommended that the LVIA is undertaken using LANDMAP to enable the landscape and visual impact of the proposal be fully assessed. A LVIA will be required as part of any planning application. Further, proposed mitigation can reduce any impacts of the proposed development on landscape, drainage, ecology, heritage and, noise.

It is not considered that the proposal would have a significant impact that requires further consideration through EIA.

b) The nature of the impact

Given the scale and nature of the proposals no significant impacts are anticipated in terms of population and human health; biodiversity; land, soil, water, air and climate; material assets, cultural heritage and the landscape or the interaction between these.

c) The transboundary nature of the impact

Having regard to the scale and nature of the proposed development and topography and previous uses of the site, it is considered that there should not be a 'significant impact' upon the nature of the transboundary in relation to the visual / landscape impact.

d) The intensity and complexity of the impact

The overall impact of the scheme is not considered to be complex or raise any sensitive land use issues, or extend beyond the immediate area within which the site lies. It is not considered that there would be any significant impacts on population and human health; biodiversity; land, soil, water, air and climate; material assets, cultural heritage and the landscape or the interaction between these based on the above characteristics of development and its location.

e) The probability of the impact

There is unlikely to be an adverse visual impact on a local landscape scale. Similarly significant ecological and historic impacts are also unlikely, but all of these impacts will be considered at planning stage following the submission of further details as referred to elsewhere in this screening opinion. None of the potential impacts are considered likely to be significant and would be considered further as part of the planning application.

f) The expected onset, duration, frequency and reversibility of the impact.

The impacts identified through the construction phase would be temporary. Any impact of the proposed residential development would be continuous and permanent.

g) The cumulation of the impact with the impact of other existing and / or approved development:

Given the size and location of the Former Gorwydd Colliery development, it is not considered that the cumulative impact of the proposed development with the Gorwydd Colliery site will lead to any significant environmental effects. The technical studies undertaken to accompany any planning application submission for the proposed development will be cognisant of the former Gorwydd Colliery site development where appropriate.

As previously mentioned in the preceding paragraphs, the site subject of this Screening Opinion (SCR) forms part of a larger Strategic Development Area and an application could be submitted for this development at any point before or during the course of an application on this site. It is therefore prudent to consider the cumulative impact of the development with the remainder of the site. The Strategic Development Site H includes an area of land to the east of the SCR site, measuring approximately 17.3ha, which is allocated in the LDP for a comprehensive mixed use development of circa 486 homes during the plan period incorporating public realm, a primary school, commercial units, community buildings and a regional employment site (B1, B2 and B8 uses). This part of the strategic site is currently occupied by buildings associated with its industrial use and open land. It is considered that if this additional 17.3ha site were to be included within this screening opinion, it would still be under the threshold for an EIA of 1000 dwellings.

The site lies to the south of a site of a potential Development of National Significance (DNS) for a Solar Farm, which has been subject to a separate EIA Screening Opinion (2022/1119/SCR) undertaken by PEDW which concluded that the solar farm did not constitute EIA development (dated 17th August 2022)

The existing built form in the vicinity of the site, and the additional area of the Strategic Site to the east will be considered in any technical assessments as appropriate.

As such, it is considered that the cumulative impact of the development with that of existing and approved development is not considered to be significant in EIA terms. The main issue is going to be the impact of additional traffic and drainage capacity, and this would be considered further as part of the planning application via a transport assessment and drainage strategy (capacity) and mitigated for accordingly.

h) The possibility of effectively reducing the impact:

The potential ecological impacts could be mitigated through the provision of replacement habitats within the site and / through specific mitigation measures relating to lighting, for example, to reduce the impacts upon bats. The site is located within a SINCS, and as such, it is considered, that any ecological impacts can be mitigated by on site measures via the planning application process and appropriate planning conditions. It is recognised that the development will increase car borne trips by new occupiers of the site, and also, increased traffic movements during the construction phase. It is considered that these types of impacts could be mitigated against via the planning application process, for example, to encourage more sustainable modes of transport and the use of Construction Traffic Management Plans, which can be secured via appropriate planning conditions.

In light of the above, it is not considered that the proposals would have a significant impact on population and human health; biodiversity; land, soil, water, air and climate; material assets, cultural heritage and the landscape or the interaction between these and any mitigation measures that would arise would be standard, tried and tested mitigation measures.

Conclusion

When assessing whether EIA is required, the fundamental test to be applied is whether this particular type of development and its specific impacts are likely, in this particular location, to result in significant effects on the environment.

The development will be considered against the following main issues:

- Compliance with development plan and national planning policies
- Highways and traffic issues;
- Townscape and visual impact;
- Residential Amenity impact;
- Ecological Impact;
- Drainage impacts
- Any other issues arising from the determination of the application and representations received

The magnitude and complexity of the impact from the proposed development, in terms of siting and layout etc would be localised to the immediate surrounding area and the site is not located within a 'sensitive area' as defined by the EIA Regulations.

Taking into account the nature, scale and location of the development, it is not considered there would be a significant effect on the environment such that expert and detailed study is needed through EIA.

A planning application of this nature shall be supported with sufficient information by way of the following:

- Planning Application Forms;
- Suite of Architectural Plans including site location plan, master plans and parameters plans
- Design and Access Statement (DAS);
- Landscape and Visual Impact Assessment;
- Green Infrastructure Strategy;
- Landscaping Strategy;
- Planning Statement;
- Pre-application Consultation Report;
- Drainage Strategy & Plans;
- Flood Risk Statement;
- Ecological Appraisal, including species specific surveys as appropriate and a statement to inform a Habitats Regulations Assessment;
- Tree and Hedgerow Survey;
- Heritage and Archaeological Assessment;
- Transport Assessment;
- Travel Plan;
- Noise Report;
- Energy Assessment; and
- Ground Investigation Report & Coal Mining Risk Assessment Report

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In light of the above assessment of the Characteristics of Development, Location of Development and Types and Characteristics of the Potential Impacts it is concluded that the proposed development will be limited to the local level in respect of its potential impacts and those impacts will not result in significant effects upon the environment.

The Local Planning Authority therefore formally takes the view that an Environment Impact Assessment **is not required** for the proposed development