

USW Caerleon Environmental Statement

Chapter B: EIA Scope and Methodology

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B1.0 Introduction

- B1.1 This chapter describes the process undertaken to identify the possible significant environmental effects giving rise to the need for Environmental Impact Assessment ('EIA'). It also provides information on how the EIA has assisted in the iterative process of designing the proposed development.
- B1.2 Individual chapters (Chapters D to J and the Cumulative Assessment at Chapter K) describe the specific technical methodologies adopted to identify and assess the potential environmental effects arising.
- B1.3 The structure of this chapter is as follows:
- 1 A review of the requirement for EIA;
 - 2 Approach to scoping the EIA;
 - 3 A review of some of the overall difficulties in the process of assessment that have arisen in carrying out the EIA (further details are provided where relevant within the individual chapters D to J); and,
 - 4 An overview of the process of consultation which has taken place to inform and assist in the process of EIA.
- B1.4 Chapter C provides a description of the site and the proposed development.

B2.0

Requirement for EIA

- B2.1 As described in Chapter A of this Environmental Statement ('ES'), EIA is a process undertaken in respect of certain types of development prior to the grant of planning permission.
- B2.2 The need for EIA is derived from EIA Directive No. 2014/52/EU on the assessment of certain public and private projects on the environment. The EIA Directive was first produced in 1985 as 85/337/EEC and has been amended several times since. The directive was originally incorporated into UK planning legislation in Regulations issued in 1988, with further key updates in 1999.
- B2.3 On 16 May 2017, the Town and Country Planning (EIA) (Wales) Regulations 2017 came into force in Wales to incorporate the requirements of the 2014 Directive into domestic legislation. These were subsequently amended in April 2019 by the Town and Country Planning (EIA) (Wales) (Amendment) Regulations 2019. This EIA has been carried out with regard to the requirements of the 2017 EIA Regulations, as amended ('the EIA Regulations').
- B2.4 This ES sets out the findings of an assessment of the potential for significant environmental effects of the proposed development on the basis that it falls within Part 10(b) (Infrastructure Projects) of Schedule 2 of the EIA Regulations.
- B2.5 Part 10(b) relates to *"urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas"* where the development includes more than 150 dwellinghouses, or where the overall area of development exceeds 5 hectares. For such developments, EIA is required where the scheme gives rise to significant environmental effects.
- B2.6 For Schedule 2 developments, the EIA Regulations require that an EIA be undertaken where the development is *"likely to have significant effects on the environment by virtue of factors such as its nature, size and location"*.
- B2.7 Schedule 3 of the EIA Regulations goes on to identify the characteristics of the development, the sensitivity of the location and the characteristics of the potential impact as the key *"Selection criteria for screening Schedule 2 development"*.
- B2.8 In light of these, EIA will be required for Schedule 2 development in three main types of case:
- 1 Major development which is of more than local importance;
 - 2 Developments located in particularly environmentally sensitive or vulnerable locations; and
 - 3 Developments with unusually complex and potentially hazardous environmental effects, which includes the impacts of the development itself, as well as the cumulation of the impact with the impact of other existing and/or approved development.
- B2.9 Full details of the proposed development are discussed within Chapter C of this ES, however in summary; the proposed development is for 218 dwellings, on a site that is 13.46 hectares.
- B2.10 Due to the potential impacts of the proposed development it has been agreed with Newport City Council ('NCC') that EIA will be undertaken to ensure that all potential significant environmental effects from the scheme can be identified, assessed and presented to assist in its consideration of the planning application for the proposed development.
- B2.11 The assessment has been carried out to ensure the potential significant environmental effects from the development are identified, assessed and presented in an ES to enable NCC to consider the scheme's impact alongside the planning application. Where mitigation measures are required, these are identified alongside any necessary monitoring to ensure their ongoing

implementation. These have also been complied within Chapter L 'Mitigation and Monitoring' of this ES.

B3.0

Scope of the Environmental Statement

EIA Scoping

B3.1

To assist in identifying those environmental issues requiring consideration, the EIA Regulations make provision for an applicant to seek the local authority's formal opinion on the scope of the EIA (the 'scoping opinion'). The scoping opinion identifies those issues that the local authority considers may give rise to the most significant effects and enables the applicant to focus the assessment on those areas. It is, however, not a mandatory exercise.

B3.2

Given the similar nature of the proposed development to planning application reference 17/0781 and the fact that an informal scoping exercise was undertaken as part of that planning application, pre-application consultation with Council Officers advised that the current planning application should be accompanied by an EIA that considered the same topics and the same assessment criteria.

B3.3

Key issues identified during the informal scoping exercise carried out in respect of the EIA for application reference 17/0781 included:

- i Air Quality – Potential impact on the Caerleon High Street Air Quality Management Area ('AQMA');
- ii Community, Economic and Social Effects – Potential impact of the loss of the University's sports facility on the local community;
- iii Transport – Potential impact of the proposal on local highways;
- iv Cultural Heritage – Impact on local heritage assets, archaeology and the Grade II listed buildings on site;
- v Landscape and Visual – Impact on the views of the site from the surrounding area;
- vi Arboriculture – Impact on existing trees on the site, some of which are covered by a Tree Preservation Order ('TPO'); and,
- vii Natural Heritage – Impact on protected species on site (bats in particular).

The Scope of the EIA

B3.4

The ES has therefore been prepared on the basis of the informal scoping exercise undertaken for the purposes of planning application reference 17/0781, as well as feedback provided by NCC during pre-application consultation meetings and subsequent detailed liaison between the individual technical consultants and relevant specialist consultees. The scope of the EIA is therefore as follows:

- a Transport (ES Chapter D);
- b Air Quality (ES Chapter E);
- c Landscape and Visual (ES Chapter F);
- d Arboriculture (ES Chapter G);
- e Ecology (ES Chapter H);
- f Cultural Heritage (ES Chapter I);
- g Socio Economic (ES Chapter J);
- h Cumulative Assessment (ES Chapter K); and,
- i Mitigation and Monitoring (ES Chapter L).

B3.5

With regards to the cumulative assessment, the cumulative schemes considered in the EIA submitted with planning application 17/0781 were reviewed for their appropriateness to be re-assessed in this EIA (see Table B3.1). No new developments have been identified that should be added to the list.

Table B3.1 Review of cumulative development schemes assessed in the EIA submitted with planning application reference 17/0781

Location	Application Reference	Details of Development	Include/Exclude from Cumulative Assessment
Land at Ponthir Road (Allocated Site LDP Policy H1(1))	03/1042	Outline Application for 54 dwellings.	Exclude from cumulative assessment as the development is complete/operational and will already be accounted for in the baseline assessments.
	08/1333	Reserved Matters Application for 54 dwellings.	
	17/0034	Application for 2 dwellings.	
Land at Trinity View (Allocated Site LDP Policy H1(41))	09/0854	Application for 16 dwellings.	Exclude from cumulative assessment as the development is complete/operational and will already be accounted for in the baseline assessments.
Land at Trinity View	15/0344	Application for 4 dwellings.	Granted May 2015 however not complete. Include in cumulative assessment.
Land and Buildings North East of 71 Forge Close, Caerleon	16/0786	Application for 16 dwellings.	Granted July 2018, still pending S106 Agreement. Include in cumulative assessment.
Llanfrechfa Grange Hospital, Cwmbran	12/P/00348	Outline application for Specialist and Critical Care Centre.	Construction underway but not complete or operational therefore include in cumulative assessment.
	15/P/00097	Reserved Matters application for Specialist and Critical Care Centre.	
Lodge Hill, Caerleon	17/0605	Application for a new primary school.	Construction underway but not complete or operational therefore include in cumulative assessment.

B3.6

Further details on each of these schemes is provided within the Cumulative Impact Assessment presented at Chapter K of this ES.

Vulnerability to Major Accidents and/or Disasters

B3.7

In accordance with Schedule 4(8) of the EIA Regulations the scheme has been reviewed in the context to its vulnerability to major accidents and/or disasters.

- B3.8 Given the nature, scale and location of the proposals it is not considered that there is the potential for the site and/or the development to be vulnerable to the risk of major accidents and/or disasters from environmental occurrences.
- B3.9 It is, however, recognised that there are a variety of other non-environmental occurrences that may result in major accidents or disaster scenarios. These may include traffic accidents and other personal injuries, as well as fire hazards. The scheme has been designed to accommodate all emergency vehicles and personnel necessary to respond to and address any accident or disaster of this type.

B4.0

The EIA Process and its Difficulties

- B4.1** The EIA considers the likely environmental effects based on current knowledge of the site and surroundings, desk top assessment, survey and fieldwork and information available to the EIA team. Regard is given to relevant national, strategic and local planning policy and other legislation of relevance to individual topic areas. This topic-specific guidance is considered in further detail within individual chapters of the ES.
- B4.2** The EIA has been completed with reference to best practice and relevant legislation and has addressed all those matters that could reasonably be required to assess the effects of the proposed development. This includes those arising from the scheme itself as well as those temporary effects arising during the construction phase.
- B4.3** An extensive amount of information has been available to establish the baseline position for the site and for consideration and assessment of the likely impacts by the EIA team. The development of the design has emerged from an iterative process of assessment and development between the design and EIA team. The project for which planning permission is sought incorporates those revisions or modifications that are necessary or appropriate to avoid or minimise significant adverse effects on the environment. Where 'built in' (inherent) mitigation is taken into account in the technical assessments, this is identified.
- B4.4** Following the mandatory pre-application consultation on the planning application and associated ES, new issues may emerge or practices identified that may affect the findings in this ES. Throughout the ES any difficulties in compiling information, testing impacts or the assumptions that have been adopted are noted explicitly. Difficulties relevant to this ES include:
- 1 Information being unavailable to the team or the necessity to rely on reasonably available data or assumptions in carrying out the EIA. This has included information made available later in the programme to completing the ES and also information existing only in draft at the time of submission of this ES.
 - 2 Assessment of construction is based on broad parameters ahead of the formal appointment of a contractor. Potentially different construction programmes may be identified that may lead to an earlier start on site than identified, or potentially leading to differences to the length of the construction period – albeit some confidence can be ascribed to details of the construction programme described in the ES due to the consideration that has been given to the inter-relationship between the programme and the requirements of potential future occupiers. The applicant is also a national PLC that has considerable experience in delivering similar scale developments. In addition, Chapter Q of this ES (Mitigation and Monitoring) establishes a series of outcomes from the EIA Process that can feed into detailed Construction Methodologies and Construction Environmental Management Plan ('CEMP') to guide the process of construction and ensure alignment with the conclusions of this ES.
 - 3 Availability of accepted methodologies (e.g. there is generally no accepted criteria for assessing the significance of Socio Economic impacts or Population and Human Health impacts). In these situations, professional judgement, experience and agreement of other forms of assessment have been relied upon as the basis of EIA.
- B4.5** Where limitations and difficulties have arisen on individual topic areas, these are identified in Section 3 of each chapter as appropriate.

B5.0

Methodological Approach to the EIA

B5.1

The ES has been prepared in accordance with the requirements of the EIA Regulations and with reference to best practice including that published by the Institute of Environmental Management and Assessment ('IEMA'). All information required to identify the significant environmental effects of the development, as defined by Schedule 4 of the Regulations has been provided. The ES also complies with the requirements of Paragraph 17(3) and 17(4) which define what comprises an ES.

B5.2

The assessment includes a consideration of relevant policy and legislation of relevance as well as considering comments received by consultees during the pre-submission period.

B5.3

Each technical assessment follows a consistent approach and format and includes:

- 1 A brief review of relevant policy and legislative context;
- 2 Confirmation of the detailed topic-specific assessment methodology, consultation undertaken and confirmation on how the assessment relates to the standard significance criteria adopted for the EIA (see below);
- 3 Consideration of Baseline Conditions including an identification of sources of information, site history, current environmental conditions and future trend/anticipated changes to current conditions that could be anticipated without the scheme (the 'future baseline');
- 4 Identification of the potential effects including a summary of those resources/receptors likely to be affected, the sensitivity of those receptors to accommodate change; the degree of change resulting from the proposal; the change of events or pathways linking cause to effect and a prediction of the significance of effects in terms of nature, extent and magnitude including whether it is direct/indirect, short/long term, permanent/temporary and beneficial/adverse;
- 5 The scope for incorporating mitigation measures to avoid, reduce, remedy or compensate for any identified effects; and
- 6 Identification of any effects remaining after mitigation.

B5.4

Mitigation measures are identified within the specific ES chapters, and the mechanisms for monitoring their effectiveness are consolidated and set out in a coordinated manner in a dedicated chapter within the ES (Chapter L).

B5.5

The effects of individual environmental matters have been transcribed against a common list of significance criteria for the EIA which are as follows:

- 1 Substantial¹ beneficial
- 2 Moderate² beneficial
- 3 Minor³ beneficial
- 4 Neutral/negligible
- 5 Minor³ adverse
- 6 Moderate² adverse
- 7 Substantial¹ adverse

¹ Substantial – considerable effects (by extent, duration or magnitude) or of more than local significance or breaching identified standards or policy

² Moderate – limited effects which may be considered significant

³ Minor – slight, very short or highly localised effects

- B5.6 The ES includes a description of the likely significant environmental effects on the environment including direct/indirect effects, secondary and beneficial/adverse effects arising from the development.
- B5.7 Where a technical assessment within this ES has deviated from the above approach due to industry guidelines, this is specified within the relevant technical assessment chapter(s).

B6.0

Consultation and Engagement

- B6.1 In undertaking the EIA each of the consultant team members liaised with their relevant statutory consultee counterparts and this is discussed further within Section 3 (Methodology) of the standalone ES technical assessment chapters (D to J).
- B6.2 Pre-application consultation has also taken place with NCC officers, including Development Control, Ecology, Highways and Parks. To date this has comprised three meetings in February, April and May 2019. The meetings discussed the principle of the proposed development, as well as the following environmental matters that are of relevance to the EIA:
- a The type of planning application (Full details versus a Hybrid Full/Outline application);
 - b Discussion on the scale of development (number of units);
 - c Options regarding the use of the rugby pitch for alternative recreation provision;
 - d Access into the site;
 - e Active travel and sustainable transport options;
 - f Arboricultural matters including trees subject to a TPO;
 - g Sustainable drainage options;
 - h The potential diversion of the Public Right of Way ('PRoW'); and,
 - i The setting of the listed Main Building and the treatment of new houses in the setting of heritage assets;
- B6.3 The Council's formal pre-application consultation response was received on 10th July 2019.
- B6.4 Prior to the submission of the planning application additional mandatory pre-application consultation was undertaken, where the draft planning application documents were made available for public review and comment between 29th July and 6th September 2019. As part of this process all comments received have been reviewed and a response is provided in the standalone Pre-Application Consultation Report that has been submitted with the planning application. The report also provides further detail on the consultation undertaken.
- B6.5 As a consequence of the consultation process, the principal changes to the design can be summarised as:
- 1 A reduction in the number of dwellings from 223 to 218;
 - 2 Removal of the frontage access onto St Cadocs Close. This will allow the existing ground levels and boundary arrangement to be respected;
 - 3 Reflecting house types at the arrival access from Lodge Road;
 - 4 Re-orientating house plots to the northern boundary to allow the existing contours of the land to be better respected;
 - 5 Providing a new pedestrian route to south side of the listed building;
 - 6 Re-aligning the plots backing onto St Cadoc's Close to respect a Dŵr Cymru Welsh Water easement (following a trace of water main).
 - 7 Introducing a pedestrian/cycle link to northern open space area.
 - 8 Revising the parking arrangements for TJ Webley and Ty Hywell as a result of engineering constraints.

- 9 Creating a link to the cycle/bin store in listed building basement.

B7.0

Abbreviations & Definitions

- 1 AQMA – Air Quality Management Area
- 2 EIA – Environmental Impact Assessment
- 3 ES – Environmental Statement
- 4 IEMA – Institute of Environmental Management and Assessment
- 5 LDP – Local Development Plan
- 6 NCC – Newport City Council
- 7 PAC – Pre-Application Consultation
- 8 PRoW – Public Right of Way
- 9 TPO – Tree Protection Order

B8.o

References

- 1 EIA Directive No. 2014/52/EU – Amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment
- 2 Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (2017 NO. 567 (W.136))