

ENVIRONMENTAL STATEMENT

CHAPTER 5: SCOPING AND CONSULTATION

Land South of Rover Way, Cardiff CF24 5PH

Harsco Metals Group Limited

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- Appendix 5-1: Screening Request Letter
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- Appendix 5-3: Scoping Request Report
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- Appendix 5-5: Public Consultation Flyer
- Appendix 5-6: Public Consultation Display Boards
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5.1.0 Introduction

- 5.1.1 This chapter of the ES provides details of the Screening and Scoping exercises undertaken with Cardiff Council in accordance with The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, as well as providing a summary of any formal consultation undertaken during the course of the EIA process.
- 5.1.2 It should be noted that the Screening and Scoping processes described in this chapter, out of necessity, began before the final development design was arrived at. However, for avoidance of doubt, this ES assesses the environmental impacts and effects resulting from, and any mitigation required as a result of, the scheme which is the subject of the planning application submission (i.e. the scheme described in Chapter 4: Description of the Proposed Development).
- 5.1.3 Various formal documents and/or consultation responses have been appended to this Chapter for ease of reference. Further detailed information regarding the outcomes of the consultation process is contained within both the Planning, Design and Access Statement and the Statement of Community Consultation (both prepared by Carter Jonas).
- 5.1.4 This Chapter has been revised and re-issued in November 2019 following feedback from Natural resources Wales and Cardiff Council.

5.2.0 Screening and Scoping

Screening Opinion

- 5.2.1 In accordance with Regulation 6 of the of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, a person who is minded to carry out development may request the relevant planning authority to adopt a screening opinion which confirms whether the proposals are an 'EIA Development' and must, therefore, be assessed by way of an EIA.

Screening Request

- 5.2.2 A Screening Request, prepared by Harsco Metals Group Ltd, was submitted to Cardiff Council on 17th January 2019. A copy of the Screening Request is provided within Appendix 5-1.

- 5.2.3 The submitted letter was relatively high-level in terms of detail but provided the following key elements necessary for Cardiff Council to form a Screening Opinion:

- A plan sufficient to identify the land;
- A description of the development, including:
 - A description of the physical characteristics of the development and demolition works;
 - A description of the location of the development, with particular regard to the environmental sensitivity of the geographical areas likely to be affected;
- A description of the aspects of the environment likely to be significantly affected by the development;
- A description of any likely significant effects, to the extent of the information available on those effects, of the proposed development on the environment resulting from
 - the expected residues and emissions and the production of waste, where relevant; and
 - the use of natural resources, in particular soil, land, water and biodiversity; and
- such other information or representations as the person making the request may wish to provide or make including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

Screening Opinion

- 5.2.4 The subsequent Screening Opinion (reference SC/19/00001/MJR), which was adopted on 11th April 2019, confirmed that the development falls to be considered under Schedule 2 Class 5 (e) – '*Installations for smelting mineral substances including the production of mineral fibres*'. A copy of the Screening Opinion is provided for reference within Appendix 5-2.

- 5.2.5 The Screening Opinion confirms that:

“... it is concluded that the applicable thresholds for requiring an Environmental Assessment would be met or exceeded and that the Environmental Impacts of the development as described are potentially to realise such environmental effects as to warrant the submission of an Environmental Statement.”

5.2.6 When considered against the criteria contained within Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, the Screening Opinion identifies that there is potential for significant effects to arise with regard to:

- Ecology and proximity to the Severn Estuary, which is designated as SAC, SPA, Ramsar and SSSI;
- Air Quality and potential for cumulative impacts upon the Severn Estuary;
- Ground Conditions and Contamination associated with historic landfill activities on and adjoining the site; and
- Considerations associated with Flood Risk and Drainage.

5.2.7 Given the content of the Screening Opinion adopted by Cardiff Council, a Scoping Request was subsequently prepared and submitted to Cardiff Council. This is detailed further within the section below.

Scoping Opinion

5.2.8 In accordance with Regulation 14 of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, a person who is minded to make an EIA application may ask the relevant planning authority to state their opinion as to the scope and level of detail of the information to be provided in the environmental statement ('scoping opinion').

Scoping Request Report

5.2.9 A Scoping Request Report, prepared by SLR Consulting Limited, was submitted to Cardiff Council on 4th April 2019. A copy of the Scoping Request Report is provided within Appendix 5-3.

5.2.10 In accordance with Regulation 14 of the EIA Regulations, the Scoping Request Report included the following key information to allow Cardiff Council to adopt a Scoping Opinion:

- A plan sufficient to identify the land;
- A brief description of the nature and purpose of the development including its location and technical capacity;
- Its likely significant effects on the environment; and
- Such other information or representations as the person making the request may wish to provide or make.

5.2.11 The submitted Scoping Request Report related to *“an application submission for an Asphalt Batching Plan and associated infrastructure at the Celsa Steelworks site on Land South of Rover Way, Cardiff CF24 5PH”* and focussed on the following areas, which were proposed to be assessed as part

of the Environmental Statement (ES):

- Approach to the EIA, including: EIA Methodology, Consideration of Alternatives and Cumulative Effects;
- Environmental Issues to be ‘Scoped In’:
 - Land Quality;
 - Air Quality;
 - Noise and Vibration;
 - Flood Risk and Drainage;
 - Ecology; and
 - Transport.
- Environmental Issues to be ‘Scoped Out’:
 - Landscape and Visual;
 - Heritage and Archaeology; and
 - ‘Other Environmental Issues’.

5.2.12 Of the topics proposed to be ‘Scoped In’, it was unclear as to whether either Noise and Vibration or Transport were likely to raise significant environmental issues / effects. As such, whilst contained within the ‘Scoped In’ section of topics, the Scoping Request Report was based on seeking clarification from the Council as to whether they wished for these topics to be ‘Scoped In’ or ‘Scoped Out’ of the EIA.

5.2.13 Those topics identified to be ‘Scoped Out’ were not considered likely to raise significant environmental issues / effects. As such, the Scoping Request Report sought confirmation of agreement from the Council that these topics could indeed be ‘Scoped Out’. On this basis, it was intended that separate non-EIA reports would be prepared in support of the planning application submission for both Landscape and Visual, and Heritage and Archaeology.

Scoping Opinion

5.2.14 A formal Scoping Opinion was adopted by Cardiff Council on 17th May 2019 (reference SC/19/00005/MJR) and is provided within Appendix 5-4.

5.2.15 Notwithstanding the content of the Scoping Request Report, as detailed within Section 5.2.9-5.2.13 above, the Scoping Opinion issued by Cardiff Council confirmed that matters pertaining to the topics of Noise and Vibration, and Transport did not need to be considered within the ES and could be ‘Scoped Out’. As such, these topics are being dealt with in separate non-EIA reports prepared in support of the planning application submission.

5.2.16 In terms of content, the Scoping Opinion contained limited information relating to the scope of the individual methodologies for the various topics, albeit extracts of the relevant consultation

responses were provided for the following:

- Air Quality;
- Contaminated Land;
- Noise Pollution;
- Ecology and Landscape;
- Transportation; and
- Natural Resources Wales.

5.2.17 The Scoping Opinion concludes that *“The Council agrees with the scope of the environmental topics that have been considered in your scoping report, however have concluded that having regard to Natural Resources Wales’ comments, information still needs to be submitted regarding: flood risk and impacts on the features of the Severn Estuary Designated Sites, including air quality, impacts from dust, land contamination and ecological matters”*.

5.2.18 The Scoping Opinion conclusion continues by stating that *“given the local nature of the transport and noise impacts considered, they will not need to form part of an environmental statement, however they will be required to be submitted as part of a planning application. Aside from these local issues, the following matters should be addressed as part of the EIA for the development and reported in the Environmental Statement:*

- *Designated Sites;*
- *Air Quality;*
- *Hydrology;*
- *Ground Conditions;*
- *Ecology.”*

Closure

5.2.19 A brief summary of the Screening and Scoping exercises undertaken has been provided above, whilst copies of the Screening Request, Screening Opinion, Scoping Request Report and subsequent Scoping Opinion are provided within Appendices 5-1 to 5-4 respectively.

Further information relating to the formal Scoping exercise, the content of the Cardiff Council Scoping Opinion and other consultation undertaken in support of the development is provided, where relevant, in the individual technical chapters of this ES. Each Chapter has sought to detail the comments raised as part of the formal Scoping Opinion, provide commentary on the requirements, and identify where this has been dealt with within the content of the Chapter or supporting appendices.

5.3.0 Consultation

5.3.1 Outside of the formal Screening and Scoping exercises, the development proposals have been through a period of consultation with Celsa Steel, Cardiff Council, Natural Resources Wales, elected Councillors and the local community. The consultation process can be summarised as follows:

- **Celsa Steel** – various discussions and meetings regarding the proposals have taken place between Senior members of Staff at Celsa and Harsco. Celsa's legal representatives were formally notified about the application on 24th June 2019.
- **Cardiff Council** – Harsco's legal representatives have been in regular contact with Surveyor's at Cardiff Council regarding the proposals and they were formally notified about the proposals on 24th June 2019. The proposals have also been discussed with Justin Jones (Principal Planner) at Cardiff Council and a meeting took place on 16th April 2019.
- **Natural Resources Wales** – The project team have engaged with officers at Cardiff Council and Natural Resources Wales throughout the development design and pre-application process.
- **Public Consultation** – A formal public consultation event in the form of an exhibition took place on 14th May from 4pm-7pm at the Star Hub Centre, Muirton Road, Cardiff. Flyers were distributed to approximately 500 of the surrounding residential properties and businesses in advance of the event. The consultation event was attended by 6 people and they were able to view display boards providing an overview of the proposals and ask any questions of the design team who were in attendance.
- **Engagement with Local Councillors** – Engagement with the three local Splott Ward Councillors has taken place.

5.3.2 Copies of the Public Consultation flyer, exhibition display boards and feedback from the event are provided within the following Appendices:

- Appendix 5-5: Public Consultation Flyer
- Appendix 5-6: Public Consultation Display Boards
- Appendix 5-7: Public Consultation Feedback

5.3.3 The above provides a brief overview of the pre-application consultation that has been undertaken through the design and EIA process. Further detailed information regarding the pre-application and public consultation is provided within the Planning, Design and Access Statement, and the Statement of Community Consultation (both prepared by Carter Jonas) submitted in support of the planning application submission.

5.3.4 Following the initial submission of the Planning Application and Environmental Statement in July 2019, comments have been received from Natural Resource Wales planning department. The comments contained the following requirement: *"Requirement 1: Designated Sites – further information is required to determine if changes in air quality will avoid significant and adverse effects on the integrity of the Severn Estuary SAC/SSSI"*. In addition, Cardiff Council Air Quality Officer also identified the need for a detailed assessment of potential air quality impacts on the Estuary.

- 5.3.5 In this regard, the NRW consultation response dated 15th August 2019 required consideration of impacts associated with Traffic Emissions, whilst a consultation response from NRW dated 1st November 2019 required this to also be extended to include consideration of combustion processes and stack emissions. These NRW consultation letters are available for viewing via the Cardiff Council online planning register.
- 5.3.6 As such, a detailed assessment of the air quality impacts on the Severn Estuary SAC/SSSI habitats, including the Atlantic Salt meadow feature, has been undertaken, and is presented in revised Environmental Statement Chapter 9 – Air Quality and Chapter 11 – Ecology.

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