

Appendix 12: Identified Specialist/Specified Consultees

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(a)	Development likely to affect land in the area of another local planning authority	The local planning authority concerned	No	
(b)	Development, in relation to which an application for planning permission has been made to the Welsh Ministers under section 293A of the 1990 Act(1) (urgent Crown development: application), where that development is likely to affect land in the area of a community council	The community council	Yes	Margam Moors Parish Council (inactive) Margam and Taibach ward councillors
(c)	Development within an area which has been notified to the local planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances (otherwise than on a relevant nuclear site) and which involves the provision of— (i) residential accommodation; (ii) more than 250 square metres of retail floor space; (iii) more than 500 square metres of office floor space; or (iv) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area	The Health and Safety Executive	Yes	The Health and Safety Executive
(d)	Development within an area which has been notified to the local planning authority by the Office for Nuclear Regulation for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances on a relevant nuclear site and which involves the provision of— (i) residential accommodation; (ii) more than 250 square metres of retail floor space; (iii) more than 500 square metres of office floor space; or (iv) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area	The Office for Nuclear Regulation	No	
(e)	Development likely to result in a material increase in the volume or a material change in the character of traffic— (i) entering or leaving a trunk road; or (ii) using a level crossing over a railway	The Welsh Ministers The operator of the network which includes or consists of the railway in question, and the Welsh Ministers	Yes	Neath Port Talbot Council Highways
(f)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned	Yes	Neath Port Talbot Council Highways Traffic Wales
(g)	Development likely to prejudice the improvement or construction of a classified road or proposed highway	The local highway authority concerned	No	
(h)	Development involving— (i) the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or (ii) the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force	The local highway authority concerned The local highway authority concerned, and in the case of a road subject to a concession, the concessionaire	No	
(i)	Development which consists of or includes the laying out or construction of	The local highway	No	

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(j)	Development, other than householder development, within an area which has been notified for the purpose of this provision to the local planning authority by the Coal Authority because of the presence of land instability risks from coal mining	The Coal Authority	No	
(k)	Development involving or including mining operations	The Natural Resources Body for Wales	No	
(l)	(i) Development which has a direct physical impact on a scheduled monument. (ii) Development likely to be visible from a scheduled monument and which meets one of the following criteria— a) it is within a distance of 0.5 kilometres from any point of the perimeter of a scheduled monument; b) it is within a distance of 1 kilometre from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more; c) it is within a distance of 2 kilometres from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more; d) it is within a distance of 3 kilometres from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more; or e) it is within a distance of 5 kilometres from the perimeter of a scheduled monument and is 100 metres or more in height, or has an area of 1 hectare or more. (iii) Development likely to affect the site of a registered historic park or garden or its setting; (iv) Development within a registered historic landscape that requires an Environmental Impact Assessment; or (v) Development likely to have an impact on the outstanding universal value of a World Heritage Site	The Welsh Ministers	Yes	The Welsh Ministers / CADW
(m)	Development involving the carrying out of works or operations in the bed of or on the banks of a river or stream	The Natural Resources Body for Wales	Yes	The Natural Resources Body for Wales
(n)	Development for the purpose of refining or storing mineral oils and their derivatives	The Natural Resources Body for Wales	Yes	The Natural Resources Body for Wales
(o)	Development relating to the retention, treatment or disposal of sewage, trade-waste, slurry or sludge (other than the laying of sewers, the construction of pump houses in a line of sewers, the construction of septic tanks and cesspools serving single dwelling houses or single caravans or single buildings in which not more than ten people will normally reside, work or congregate, and works ancillary thereto)	The Natural Resources Body for Wales	Yes	The Natural Resources Body for Wales
(p)	Development relating to the use of land as a cemetery	The Natural Resources Body for Wales The water and sewerage undertaker concerned	No	
(q)	Development— (i) in or likely to affect a site of special scientific interest; or (ii) within an area which has been notified to the local planning authority by the Natural Resources Body for Wales and which is within two kilometres, of a site of special scientific interest, of which notification has been given, or has effect as if given, to the local planning authority by the Natural Resources Body for Wales, in accordance with section 28 of the Wildlife and Countryside Act 1981 (sites of special scientific interest) as applied in Wales by section 27AA of that Act(1)	The Natural Resources Body for Wales	Yes	The Natural Resources Body for Wales
(r)	Development involving— (i) any land on which there is a theatre; (ii) residential development (excluding householder development) within 50 metres of a theatre (not falling within paragraph (i)); or (iii) a proposed theatre.	The Theatres Trust	No	

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(s)	Development which is not for agricultural purposes, is not in accordance with the provisions of a development plan and involves— (i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or (ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more	The Welsh Ministers	No	
(t)	Development within 250 metres of land which— (i) is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and (ii) has been notified to the local planning authority by the Natural Resources Body for Wales for the purposes of this provision	The Natural Resources Body for Wales	No	
(u)	Development which— (i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or (ii) is on land which has been: (aa) used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or (iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface	The Sports Council for Wales (2)	No	
(v)	Development likely to affect— (i) any inland waterway (whether natural or artificial) or reservoir owned or managed by the Canal & River Trust; or (ii) any canal feeder channel, watercourse, let off or culvert, which is within an area which has been notified for the purposes of this provision to the local planning authority by the Canal & River Trust	The Canal & River Trust	No	

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(w)	Development— (i) involving the siting of new establishments; (ii) consisting of modifications to existing establishments covered by Article 11 of Directive 2012/18/EU(1); or (iii) which is new, including transport routes, locations of public use and residential areas in the vicinity of existing establishments, where the siting or development may be the source of or increase the risk or consequences of a major accident	The control of major accident hazards competent authority, and in relation to development falling within paragraph (iii), any person who is, according to the register held by the hazardous substances authority under regulation 22 of the Planning (Hazardous Substances) (Wales) Regulations 2015(2), the person who is in control of the land on which any existing establishment in question is located	Yes	Natural Resources Wales (NRW)
(x)	Development— (i) on land designated as Flood Zone C2; (ii) involving or including emergency services development or highly vulnerable development on land designated as Flood Zone C1 or on land that has been notified to the local planning authority by the Natural Resources Body for Wales for the purpose of this provision.	The Natural Resources Body for Wales	Yes	The Natural Resources Body for Wales
(y)	Development— (i) involving new residential development (including single units); and (ii) which is major development not falling within paragraph (i).	The water and sewerage undertaker concerned	No	
	Add any additional consultees identified	e.g. historic interest group, local environmental group etc.	Other consultees requested by Neath Port Talbot Council	Dŵr Cymru Welsh Water Mid and West Wales Fire Brigade Swansea Bay Port Health

14 Awst 2023

Danfonir drwy'r post ac e-bost

Annwyl Syr / Fadam,

ATODLEN 1C - ERTHYGL 2D - YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO - GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU) (CYMRU) 2012

Gan gyfeirio at yr uchod, amgaeir hysbysiad o fwriad LanzaTech i gyflwyno cais cynllunio ar gyfer dymchwel strwythurau presennol a chodi cyfleuster cynhyrchu Tanwyddau Hedfan Cynaliadwy (SAF), gan gynnwys ffagiadau caeedig ar y ddaear, tanciau storio, gosod pibellau ac offer trydanol, prosesu a chyfleustodau, adeiladau gweinyddu, labordai a warws, mynedfa, maes parcio a seilwaith trafndiaeth newydd gan gynnwys ardal llwytho tryciau a strwythurau, adeiladau a gwaith cysylltiedig, tirlunio caled a meddal, mannau adeiladu dros dro, a datblygiadau cysylltiedig.

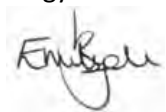
Gan fod y cynigion yn cael eu hystyried yn ddatblygiad mawr, rydym felly'n cynnal ymgynghoriad cyn ymgeisio ar y cynllun yn unol â Deddf Cynllunio (Cymru) 2015.

Cyflwynir yr hysbysiad hwn i chi fel ymgynghorai arbenigol o dan Atodlen 4 o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2016.

Mae'r hysbysiad amgaeedig yn rhoi gwybodaeth am sut i weld dogfennau'r cais cynllunio drafft, gan gynnwys sut mae gofyn am gopiâu caled, a sut i gyflwyno sylwadau ar y datblygiad arfaethedig a'r dyddiad cau ar gyfer derbyn eich sylwadau.

Er mwyn sicrhau bod popeth gennych, rwyf wedi atodi copi o'r Hysbysiad Safle o dan Atodlen 1B o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012, sydd wedi cael ei ddarparu i'r ymgynghoreion cymunedol a'r rheini sy'n byw yng nghyffiniau'r safle.

Yn gywir



Emily Bell

Cyfarwyddwr Cyswllt, Cyfathrebu Strategol

Amg.

Hysbysiad o dan Atodlen 1C - Erthygl 2D - Ymgynghori Cyn Gwneud Cais am Ganiatâd Cynllunio - Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu (Cymru)) 2012

18 Windsor Place
Caerdydd
CF10 3BY

Hysbysiad Safle o dan Atodlen 1B Hysbysiad Cyhoedduswydd ac Ymgynghori Cyn Gwneud Cais am
Ganiatâd Cynllunio o dan Erthyglau 2C a 2D - Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli
Datblygu) (Cymru) 2012

ATODLEN 1C - ERTHYGL 2D - YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO - GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU) (CYMRU) 2012

Mae'r hysbysiad hwn yn cynnwys cais ffurfiol am ymateb i ymgynghoriad cyn ymgeisio o dan erthygl 2D o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Rhoddaf wybod bod LanzaTech yn bwriadu gwneud cais am ganiatâd cynllunio ar gyfer dymchwel strwythurau presennol a chodi cyfleuster cynhyrchu Tanwyddau Hedfan Cynaliadwy (SAF), gan gynnwys ffagliadau caeedig ar y ddaear, tanciau storio, gosod pibellau ac offer trydanol, prosesu a chyfleustodau, adeiladau gweinyddu, labordai a warws, mynedfa, maes parcio a seilwaith trafndiaeth newydd gan gynnwys ardal llwytho tryciau a strwythurau, adeiladau a gwaith cysylltiedig, tirlunio caled a meddal, manau adeiladu dros dro, a datblygiadau cysylltiedig. Amgaeir cynllun o leoliad y safle.

Gallwch weld copi o'r cais arfaethedig, y cynlluniau a dogfennau ategol eraill ar-lein yn www.lanzadragon.wales.

Yn unol â gofynion erthygl 2E o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012, rhaid anfon ymateb i'r ymgynghoriad yn y ffyrdd canlynol:

E-bost: contact@lanzadragon.wales

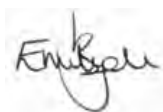
Ar bapur at: Tîm Ymgynghori LanzaTech
d/o Turley
18 Windsor Place
Caerdydd
CF10 3BY

Ar-lein yn: www.lanzadragon.wales.

Rhaid anfon yr ymateb i'r ymgynghoriad erbyn: **13 Medi 2023**

Os nad oes gennych fynediad at gyfleusterau ar-lein, gallwch ofyn am gopïau caled o ddogfennau drwy gysylltu â thîm y prosiect ar y rhif ffôn uchod. Gallwch hefyd weld dogfennau'r cais cynllunio ar-lein yn Llyfrgell Port Talbot. Mae rhagor o fanylion yn yr Hysbysiad Safle amgaeedig o dan Atodlen 1B.

Llofnod:



Emily Bell

Dyddiad: 14 Awst 2023

14 August 2023

Delivered by post and email

Dear Sir / Madam,

SCHEDULE 1C - ARTICLE 2D - CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURES) (WALES) ORDER 2012

With reference to the above, please find enclosed notification of LanzaTech's intention to submit a planning application for the demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility, including enclosed ground flare, storage tanks, installation of pipework and electrical, processing and utility equipment, administration, warehouse and laboratory buildings, new access, car parking and transport infrastructure including a truck loading area and associated structures, buildings and works, hard and soft landscaping, areas for temporary construction laydown, and associated development.

As the proposals are considered as major development, we are therefore undertaking pre-application consultation on the scheme in line with the Planning (Wales) Act 2015.

This notification is served upon you as a specialist consultee under Schedule 4 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2016.

The enclosed notice provides information on how to view the draft planning application documents, including how to request hard copies, and how to make representations on the proposed development and the deadline for the receipt of your comments.

For completeness, please find attached a copy of the Site Notice under Schedule 1B of the Town and Country Planning (Development Management Procedures) (Wales) Order 2012, which has been provided to the community consultees and those living within the vicinity of the site.

Yours faithfully



Emily Bell

Associate Director, Strategic Communications

Enc.

Notice under Schedule 1C - Article 2D - Consultation Before Applying for Planning Permission - Town and Country Planning (Development Management Procedures (Wales)) Order 2012

18 Windsor Place
Cardiff
CF10 3BY

T 02920 344 445 turley.co.uk

Site Notice under Schedule 1B Publicity and Consultation Before Applying For Planning Permission Notice
Under Articles 2C and 2D - Town and Country Planning (Development Management Procedures (Wales))
Order 2012

SCHEDULE 1C - ARTICLE 2D - CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURES) (WALES) ORDER 2012

This notice comprises a formal request for a pre-application consultation response under article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

I give notice that that LanzaTech is intending to apply for planning permission for the demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility, including enclosed ground flare, storage tanks, installation of pipework and electrical, processing and utility equipment, administration, warehouse and laboratory buildings, new access, car parking and transport infrastructure including a truck loading area and associated structures, buildings and works, hard and soft landscaping, areas for temporary construction laydown, and associated development. A site location plan is enclosed.

A copy of the proposed application; plans and other supporting documents can be viewed online at www.lanzadragon.wales.

In accordance with the requirements of article 2E of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a consultation response must be sent to:

Email at: contact@lanzadragon.wales

Writing at: LanzaTech Consultation Team
c/o Turley
18 Windsor Place
Cardiff
CF10 3BY

Online at: www.lanzadragon.wales.

The consultation response is to be returned by: **13 September 2023**

If you do not have access to online facilities, you can request hard copy documents by contacting the project team on the phone number above. You can also view the planning application documents online at Port Talbot Library. Further details are included within the enclosed Site Notice under Schedule 1B.

Signed:



Emily Bell

Date: 14 August 2023

Appendix 14: Specialist/Specified Consultee Responses

Turley

Eich cyfeirnod
Your reference

By email

Ein cyfeirnod
Our referenceDyddiad
Date

5 September 2023

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:cadwplanning@gov.wales

Dear Sir/Madam

Pre-Planning Application - Demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility, Land at Crown Wharf, Port Talbot Docks, Port Talbot, SA13 1RA

Thank you for your letter of 14 August 2023 inviting our comments on the pre-planning application consultation for the proposed development described above.

Advice

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application.

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monument or registered historic park and garden listed in our assessment of the pre-application below.

The national policy and Cadw's role in the planning process is set out in Annex A.

Assessment**Scheduled Monuments**

GM488 Chain Home Low Radar Station, Margam

Registered Parks and Gardens

PGW(Gm)45(NEP) Talbot Memorial Park, Port Talbot

This statutory pre-planning application is for the demolition existing structures & erection of sustainable aviation fuel (SAF) production facility and assoc. works at Port Talbot.

The pre-application is accompanied by an Archaeology and Heritage assessment



produced by EDP. This assesses the impact of the proposed development on the settings of the above designated historic assets. This concludes that designated historic assets do not have relationships with the land at the site that makes them potentially sensitive to the implementation of the development proposals because of changes to their wider setting and that therefore there will be no significant impact on their settings. We concur with this conclusion. The proposed development will have no impact on the settings of scheduled monument GM488 or registered park and garden PGW(Gm)45(NEP).

Finally, there may also be undesignated historic assets that could be affected by the proposed development and, if you have not already done so, we would advise that you consult the Historic Environment Record held by the Glamorgan-Gwent Archaeological Trust www.ggat.org.uk

Yours sincerely,

[Redacted signature block]

Annex A

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW [planning-policy-wales-edition-11.pdf](#) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#) elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

Historic Parks and Gardens

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the



determination of a planning application.



Gwasanaeth Tân ac Achub
Canolbarth a Gorllewin Cymru

Mid and West Wales
Fire and Rescue Service

tancgc.gov.uk
mawwfire.gov.uk

18 Windsor Place
Cardiff
CF10 3BY

Gofynner am/
Please ask for:
Rhif Est/Extn.
No.

6611

E-bost/E-mail:

Fy Nghyf/My
Ref:

AJH/JS/00346873

Dyddiad/Date:

15 August 2023

Dear Sir/Madam

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(WALES) ORDER 2012**

THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016

**DEVELOPMENT PROCEDURE (CONSULTEES) (WALES) (MISCELLANEOUS AMANDMENTS)
ORDER 2021 – FIRE AND RESCUE AUTHORITIES**

RE: LAND AT CRPWN WHARF, PORT TALBOT DOCKS, PORT TALBOT, SA13 1RA

APPLICATION NUMBER: PP-12380394

I acknowledge receipt of the notification to the Mid and West Wales Fire and Rescue Authority in relation to the above application.

The site plan/s of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development :

- The Fire Authority has no comment to make on access for fire appliances or water supplies.
- the Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>

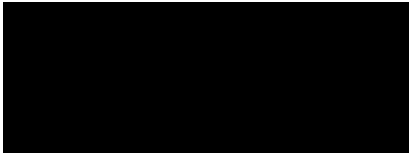
Y Pencadlys, Heol Llwyn Pisgwydd, Caerfyrddin, Sir Gâr, SA31 1SP
Headquarters, Lime Grove Avenue, Carmarthen, Carmarthenshire, SA31 1SP

post@tancgc.gov.uk
mail@mawwfire.gov.uk
0370 60 60 699

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

The plan/s has been retained for record purposes.

Yours faithfully




Authorised Fire Safety Inspecting Officer
On behalf of the Mid and West Wales Fire and Rescue Authority

Enc

MID AND WEST WALES FIRE AND RESCUE SERVICE

Advice on Water Supplies

1. WATER SUPPLIES FOR FIREFIGHTING

The existing output of the statutory water supply network may need to be upgraded in certain parts of the local plan area to care for firefighting needs of new developments. It is recommended that this provision be a condition of planning consent.

Reference to the National Guidance Document on the Provision of Water for Fire Fighting 2007.

Access to Open Water Supplies

Where development of water-front sites takes place, the need for permanent and unobstructed access for firefighting appliances to the water should be made a condition of any planning consent.

Consultation must take place with the Fire and Rescue Authority during the earliest planning stages of any development to ensure access for fire pumping appliances is satisfactory.

1.1. HOUSING

Minimum main size 100 millimetres. Housing developments of units of detached or semi-detached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any hydrant on the development.

The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements.

1.2. TRANSPORTATION

Lorry/Coach Parks - Multi-Storey Car Parks-Service Stations

Minimum main size 100 millimetres. All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any hydrant on the development or within a vehicular distance of 90 metres from the complex.

1.3. INDUSTRY

In order that an adequate supply of water is available for use by the Fire and Rescue Authority in case of fire, it is recommended that the water supply infrastructure to any commercial industrial estate is as follows:

Light Industrial/Commercial

Up to one hectare, 20 litres per second - Minimum Main Size 100 millimetres

Up to two hectares, 35 litres per second - Minimum Main Size 150 millimetres

High Risk Industrial

Up to three hectares 50 litres per second - Minimum Main Size 150 millimetres

Over three hectares, 75 litres per second - Minimum Main Size 150 millimetres

In rural areas it may not be possible to provide sufficient mains water. To overcome this, static or river supplies would be considered on site if they are capable of supplying the above flow rates for at least one hour.

The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements, as high-risk premises may require a greater flow.

1.4. SHOPPING, OFFICES, RECREATION AND TOURISM

Commercial developments of this type should have a water supply capable of delivering a minimum of 20 to 75 litres per second to the development site. The Fire and Rescue Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements.

1.5. EDUCATION, HEALTH AND COMMUNITY FACILITIES

Village Halls

Should have a water supply capable of delivering a minimum of 15 litres per second through any hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary Schools and Single Storey Health Centres

Should have a water supply capable of delivering a minimum of 20 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary Schools, Colleges, Large Health and Community Facilities

Should have a water supply capable of delivering a minimum of 35 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

1.6. DISTANCES BETWEEN FIRE HYDRANTS

The distance between fire hydrants should not exceed the following:

Residential areas	-	200 metres
Industrial Estates	-	150 metres
Town Centre Areas	-	90 metres
Commercial (Offices & Shops)	-	100 metres
Residential Hostels	-	Adjacent to access
Hotels	-	Adjacent to access
Institutional (Hospitals & Old Persons Home)	-	Adjacent to access
Old Persons Home	-	Adjacent to access
Educational (Schools & Colleges)	-	Adjacent to access

1.7. CONCLUSION

Developers should hold joint discussions with the relevant Water Authority or the Environmental Agency and the Fire and Rescue Authority to ensure that adequate water supplies are available in case of fire.

The Fire and Rescue Authority reserve the right to ask for static water supplies for firefighting on site, as a condition of planning consent, if the supply infrastructure is inadequate for any given risk.

From: [REDACTED]
To: [REDACTED]
Subject: Re: Pre-Application Consultation (PAC) launches today on proposed industrial facility to create Sustainable Aviation Fuel
Date: 16 August 2023 10:34:10
Attachments: [image223362.png](#)
[image368951.png](#)
[image982242.png](#)



Dear [REDACTED]

Thank you for your pre-application consultation.

The Health and Safety Executive (HSE) is a statutory consultee for certain types of development proposed in consultation areas set by HSE due to the possibility of major accidents in the area affecting the development.

HSE has provided a Planning Advice Web App which allows developers to obtain HSE's pre-application advice online.

The web app can be used to enquire if land is within a consultation area of a major accident hazard site or major accident hazard pipeline.

The web app can also be used to obtain pre-application advice in relation to risk to a development proposed within an HSE consultation area.

Initial enquiries to see if land is within any HSE consultation area are free of charge.

If within an HSE consultation area then the web app can be used to progress the enquiry to generate HSE's advice. There is usually a fixed fee to use the webapp to progress to the advice stage but for pre-application advice for development proposed in Wales payment of the fee is not required (instead a payment 'credit' needs to be requested to progress the enquiry in the web app to the advice stage).

HSE's Web App can be found here: <https://pa.hsl.gov.uk>

Please use the web app to check whether the site of your development is within any HSE consultation area.

In cases where our pre-application advice is required, please forward the Web App phase 1 output pdf to us (lupenquiries@hse.gov.uk). We will then provide you with a credit for the pre-application consultation for that case so that you may then obtain our formal pre-application advice, again via the web app (phase 2).

Note that HSE does not need to be consulted about sites where only demolition will take place (no new development) and also does not need to be consulted about sites that will only be temporary construction areas (no new development).

Note that the web app cannot be used for consulting HSE on applications for planning consent for the presence of hazardous substances. HSE provides its advice on applications for planning consent for hazardous substances to the Planning Authority when HSE is consulted by the Planning Authority (Hazardous Substances Authority, HSA) on such an application.

Developers should allow between 6 to 12 months to get a decision on hazardous substances planning consent from the Hazardous Substances Authority (planning authority). As part of the [government's response to the Penfold Review](#), HSE agreed to deliver statutory advice to HSAs within 13 to 26 weeks, rather than the 21 to 28 days set out in legislation. These agreed timeframes better reflect the detailed assessment work needed. To avoid delay in the consideration of a hazardous substances planning application, developers should make sure that their application contains all the required information. HSE has produced [template application forms](#) to help with understanding what information is required.

If you have not used HSE's web app before and your organisation has not set up an organisation account to use the web app then you or someone in your organisation will need to contact HSE to gain access to the Web App. Please email the following information to lupenquiries@hse.gov.uk

Organisation name:

Address:

Telephone:

Group Administrator Email Address: (The group administrator will be our main point of contact for the use of this app)

Title: (Ms, Mr, Dr, Miss...)

First Name:

Surname:

You will then be provided with login details and password.

Further information on HSE's land use planning, including HSE's Land Use Planning methodology can be found here: <https://www.hse.gov.uk/landuseplanning/methodology.htm>

Regards

[REDACTED]
[REDACTED]

on behalf of

HSE's Land Use Planning Support Team
Chemicals, Explosives and Microbiological Hazards Division Unit 5
HSE, Harpur Hill, Buxton, Derbyshire, SK17 9JN

Find out how HSE is Helping Great Britain work well

For HSE's Land Use Planning Advice Terms and Conditions, please click on the following link
<https://www.hsl.gov.uk/planningadvice> and then click on 'terms and conditions'.

From: [REDACTED]
Sent: Monday, August 14, 2023 4:42 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Pre-Application Consultation (PAC) launches today on proposed industrial facility to create Sustainable Aviation Fuel

Good afternoon,

I am emailing you on behalf of LanzaTech, who are bringing forward plans to deliver a Sustainable Aviation Fuel (SAF) production facility in Port Talbot.

If approved, the proposed Alcohol-to-Jet facility in Port Talbot would produce about 100 million litres of sustainable aviation fuel per year, around 10% of the sustainable aviation fuel that the UK plans to use by 2030. When compared with conventional jet fuel, sustainable aviation fuel reduces the production of greenhouse gases by more than 70%. This is expected to create over 150 full-time jobs, including 85 jobs on-site alongside further employment in the supply chain.

As the proposal comprises a major development, we are undertaking pre-application consultation on the scheme in line with the Planning (Wales) Act 2015.

Please find attached a letter and notification and a copy of the site notice, which is served upon you as a specialist consultee. You will also receive a copy of the attached in the post.

To view the draft planning application documents, and make representations please see the project website at
www.lanzadragon.wales/pac-process.

If you have any questions, please do get in touch.

Best wishes,

[REDACTED]

[REDACTED] t
[REDACTED]

Turley

Mobile: [REDACTED]
Office: [REDACTED]

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

The Town and Country Planning (Development Management Procedure)
(Wales) Order 2015 (as amended)

HEAD OF ENGINEERING & TRANSPORT

OBSERVATIONS

PAC APPLICATION NO: N/4/23/0010/00
APPLICANT: LANZATECH UK LIMITED
LOCATION: CROWN WHARF, PORT TALBOT DOCKS, PORT TALBOT, NEATH PORT TALBOT, SA13 1RA
PROPOSAL: DEMOLITION OF EXISTING STRUCTURES & ERECTION OF A SUSTAINABLE AVIATION FUEL (SAF) PRODUCTION FACILITY, INCLUDING ENCLOSED GROUND FLARE, STORAGE TANKS, INSTALLATION OF PIPEWORK & ELECTRICAL, PROCESSING & UTILITY EQUIPMENT, ADMINISTRATION, WAREHOUSE & LABORATORY BUILDINGS, NEW ACCESS, CAR PARKING & TRANSPORT INFRASTRUCTURE INCLUDING A TRUCK LOADING AREA & ASSOCIATED WORKS, HARD & SOFT LANDSCAPING, AREAS FOR TEMPORARY CONSTRUCTION LAYDOWN, & ASSOCIATED DEVELOPMENT.

The Highway/Drainage Authority, in responding to the above application, provides the following substantive response:

No comment	☐
No objection (subject to any specified conditions below)	☐
Concerns have been identified (see below for how those concerns can be addressed by the applicant)	☒
Objection – on the grounds set out below	☐
SAB (SAB approval is required)	☒

MY OBSERVATIONS ON THIS PAC ARE AS FOLLOWS:-

No highway objection in principle to the proposal subject to any further submissions being in compliance with the following documents and addressing the comments/concerns below:

- Neath Port Talbot County Borough Council - Parking Standards (Oct 2016).
- Neath Port Talbot County Borough Council - Design Guide for Streets and Public Realm for Residential and Commercial Developments.
- Planning Policy Wales Technical Advice Note 18: Transport

- Schedule 3 of the Flood and Water Management Act (FWMA) 2010 requires surface water drainage for new developments to comply with Mandatory National Standards for Sustainable Drainage (SuDS). Reference to the Non-Statutory Ministerial National Standards and the CIRIA 753: The SuDS Manual is recommended.
 - Welsh Government's Active Travel Guidance
1. Site entrances 1 & 2 are in directly adjacent to each other. Whilst there may be a degree of control over traffic via the gatehouse, there is still potential for traffic using these junctions to conflict. What is the management plan in respect of vehicle movements due to the close proximity of traffic conflict in both directions?
 2. Vision splays of 2.4m x 25m have been provided at the access points which the TA incorrectly states are in accordance with TAN 18. 2.4 x 45m vision splays should be provided for a 20mph limit in accordance with TAN 18. A 25m vision splay can be found in Manual for Streets however this port road cannot be described as a 'street'.
 3. In accordance with your TA, you state the access road is subject to a 20mph speed limit. Can you provide further evidence that shows this access road has a 20mph limit (i.e. presence of signage, traffic calming etc.) and how is it enforced.
 4. Is the entrance next to the National Grid switchroom a vehicular access? If this is the case, whilst we understand the area will be infrequently used, we are mindful of the vehicles exiting the area and therefore require adequate visibility splay in both directions as per item 2 above.
 5. The internal site roads should be a minimum of 6.5m wide to allow 2 HGV vehicles to pass (where required within the site). It appears on plan 2143.01-IA-ZZ-ST-DR-A-0215 that some of the service road are very narrow and may be a one-way system. If this is the case, can you please indicate this on a plan.
 6. Site entrance 3 (exit) does not adjoin the road at 90 degrees, this reduces the drivers left vision splay when egressing from the junction.
 7. How will goods be transported to and from the jetty on the opposite side of the road? Do any vehicles need to access the jetty area or will exports/imports be piped from the jetty to the plant and vice versa.
 8. Further to my comments given under item 5, a sufficient turning area for HGVs should be provided within the site. A turning circle would be the preferred design option. Swept path analysis should be provided for the largest vehicle using the internal site roads to ensure vehicles can manoeuvre around the site and pass one another. Will the internal site roads be one way or do two HGVs need to pass? This swept path assessment should be submitted as a CAD file so we may carry out our own assessments/scrutiny.
 9. Designated loading/unloading areas for HGVs should be provided within the site.

10. Due to the complexity of this development, a parking assessment is difficult to ascertain using our SPG Parking Standards (Oct 16), therefore, it is recommended that we agree to base the parking demands on the amount of staff, visitors and contractors needed to facilitate the operational use. We need to ensure that the agreed parking spaces for this particular development (57 total parking spaces) are specific only to this development and should the use class change, or additional parking demands arise, then a revised parking assessment will be necessary.
11. Parking provision on the site should include EV charging at a rate of 10% and disabled spaces (3.6m x 4.8m minimum) at a rate of 5%.
12. SAB approval is required. It is noted that a SAB pre-application has been submitted and any submitted drainage details will be considered as part of that process. Temporary construction areas will also require SAB approval.
13. In reference to plan 2143.01-IA-ZZ-ST-DR-A-0215 we've noted that no lighting is shown on the highway links within the sight. Is a lighting scheme proposed to ensure safe access for vehicles during night time operations? In addition we also need to consider the impact of any lighting that could conflict with existing traffic flows on the access road.
14. We've noted within drawing number 2143.01-IA-ZZ-ST-DR-A-0215 that there is no pedestrian permeability throughout the whole of the site. Is this intentional and if so, please can you provide justification as to why. Having pedestrian permeability throughout the site will allow for safe access to the works where necessary.
15. An updated CEMP should be submitted which provides a strategy for managing surface water during the construction phase of the project (this will also be reviewed as part of the SAB application). The CEMP should also provide a phasing plan for the construction phase of the project.
16. During course of construction phases will there be car sharing/ bus transport to the site to avoid potential issues with contractor parking on the existing port roads?

NOTES TO APPLICANT

Development proposals must seek to maximise walking and cycling accessibility by prioritising the provision of appropriate on-site infrastructure and where necessary off-site infrastructure. Walking and cycling infrastructure and services should be prioritised and put in place from the outset, before people have moved in and travel patterns have been established, as per Planning Policy Wales, Edition 11 and Future Wales – the National Plan 2040. All new walking and cycling infrastructure should be built to standards set out in Welsh Government's Active Travel Guidance and off-site infrastructure should link to (where possible) routes on Neath Port Talbot Council's Active Travel Network Map.

This shows where walking and cycling routes already exist (Existing Routes) and where upgrades or brand new routes are anticipated for the next 15 years (Future Routes) in built up areas. Further information on the Active Travel Guidance and Neath Port Talbot's Active Travel Network Map can be found here: www.npt.gov.uk/activetravel.

SAB Approval Requirement

Please note that from 7th January 2019, all new developments of more than 1 house, or where a construction area is of 100m² or more, plus if the SAB authority believe that any redevelopment of land has significant surface water drainage implications. This will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in [Schedule 3 of the Flood & Water Management Act 2010](#).

These systems must be approved by the Council's Highway Development Control service acting in its SuDS Approving Body (SAB) role before construction work begins. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved.

If you have not done so already, and your development would not fall into any of the relevant exceptions, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDs design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. There is an additional charge of £250 for this service. This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at www.npt.gov.uk/sab.

SIGNE

DATE: 12/09/2023

pp HEAD OF ENGINEERING & TRANSPORT/

PAC Ref: N423001000 – CROWN WHARF, PORT TALBOT DOCKS

Lanzatech Consultation Team
c/o Turley
18 Windsor Place,
Cardiff
CF10 3BY

Date: 17/08/2023
Our Ref: PPA0008168

Dear Sir/Madam

Grid Ref: 276535 188655

Site Address: Land at Crown Wharf, Port Talbot Docks, Neath Port Talbot

Development: 2D - demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility

I refer to your pre-planning enquiry received relating to the above site, seeking our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I can provide the following comments which should be taken into account within any future planning application for the development.

APPRAISAL

Firstly, we note that the proposal relates to a manufacturing development of a sustainable aviation fuel production facility on land at Phoenix Wharf and acknowledge that the site comprises of a potential windfall development with no allocated status in the Local Development Plan (LDP). Accordingly, whilst it does not appear an assessment has been previously undertaken of the public sewerage and watermain systems, we offer the following comments as part of our appraisal of this development.

Public Sewerage Network

The proposed development site is located in the immediate vicinity of a combined public sewerage system which drains to Afan New Works Wastewater Treatment Works (WwTW).

You are also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist you may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus in and around your site. Please be mindful that under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Surface Water Drainage

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. As highlighted in these standards, the developer is required to explore and fully exhaust all surface water drainage options in accordance with a hierarchy which states that discharge to a combined sewer shall only be made as a last resort. Disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to a surface water drainage body in liaison with the Land Drainage Authority and/or Natural Resources Wales.

It is therefore recommended that the developer consult with Neath Port Talbot County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, DCWW is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. Please refer to further detailed advice relating to surface water management included in our attached Advice & Guidance note. In addition, please note that no highway or land drainage run-off will be permitted to discharge directly or indirectly into the public sewerage system.

Foul Water Drainage – Sewerage Network

We have considered the impact of domestic foul flows generated by the proposed aviation fuel plant and concluded that flows can be accommodated within the public sewerage system. However, the nearest public sewer comprises a strategic asset in the form of a 1200mm combined sewer located to the south-east and therefore, unless formed into an existing chamber such as SS77881201, any connection would need to be undertaken by Dwr Cymru Welsh Water and borne at the developer's expense.

Accordingly, should a planning application be submitted for this development we will seek to control these points of communication via appropriate planning conditions and therefore recommend that any drainage layout or strategy submitted as part of your application takes this into account. However, should you wish for an alternative connection point to be considered please provide further information to us in the form of a drainage strategy, preferably in advance of a planning application being submitted. In contrast, we acknowledge that the welfare requirements will be subject to temporary private drainage.

You may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under Section 106 of the Water Industry Act 1991. However, if the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.



SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

WATER SUPPLY

The water supply system in the immediate vicinity has insufficient capacity to serve the development and will also cause detriment to existing customers' water supply. A hydraulic modelling assessment is required to establish the scope of any reinforcement works to be completed in advance of making the connection. As part of the formal planning consultation process, we will seek to ensure that the assessment (and any associated reinforcement works) is completed in advance of the determination of the application or controlled by way of planning condition.

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

[REDACTED]

[REDACTED]

Planning Liaison Manager
Developer Services

ENC. sewer plan, water plan, pre planning notes

Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.



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Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.



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We welcome correspondence in
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Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.



[Redacted]

Pre Planning - Land at Crown Wharf, Port Talbot Docks

20 September 2023 at 10:42

Reply-To: [Redacted]

To: [Redacted]

Cc: [Redacted]

Morning Lanza Dragon Planning [Redacted]

On behalf of the Welsh Government,

Pre Planning - Land at Crown Wharf, Port Talbot Docks

demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility, including enclosed ground flare, storage tanks, installation of pipework and electrical, processing and utility equipment, administration, warehouse and laboratory buildings, new access, car parking and transport infrastructure including a truck loading area and associated structures, buildings and works, hard and soft landscaping, areas for temporary construction laydown, and associated development

I refer to your consultation of 18/08/2023 regarding the above pre-planning application and advise that the Welsh Government as highway authority for the M4 motorway would not issue a direction in respect to a future planning application, subject to the detail supplied to date.

If you have any further queries, please forward to the following Welsh Government Mailbox
Lgc_development_control-south@gov.wales

Regards

[Redacted]

[Redacted]

Senior Engineer

I am now on secondment, and will have intermittent access to emails.



[Redacted]

1 Capital Quarter, Tyndall Street

Cardiff

CF10 4BZ

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Ein cyf/Our ref: CAS-235328-W3G6
Eich cyf/Your ref: Project Dragon

Lanzatech Consultation Team
c/o Turleys
18 Windsor Place
Cardiff
CF10 3BY

Dyddiad/Date: 04 October 2023

Annwyl Syr/Madam/Dear Sir/Madam,

**STATUTORY PRE-APPLICATION CONSULTATION – TOWN AND COUNTRY
PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS
AMENDED**

BWRIAD/PROPOSAL: Demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility, including enclosed ground flare, storage tanks, installation of pipework and electrical, processing and utility equipment, administration, warehouse and laboratory buildings, new access, car parking and transport infrastructure including a truck loading area and associated works, hard and soft landscaping, areas for temporary construction laydown, and associated development.

LLEOLIAD/LOCATION: Phoenix Wharf, Port Talbot, Neath Port Talbot SA13 1RE

Thank you for providing a requisite notice to us under Article 2D of the above Order.

We have concerns with the application as proposed because inadequate information has been provided. To overcome these concerns, you should provide further information in your planning application regarding Marine, Protected Species, Air Quality and Noise. If this information is not provided, we may object to the planning application when formally consulted by the planning authority. Further details are provided below.

We also advise that based on the information submitted to date, we would ask the planning authority to include conditions regarding Contaminated Land. Without the inclusion of these conditions by the planning authority we would be likely to object to the planning application.

Marine

Physical Processes

Physical Processes have been scoped out; they are not described in any way. Until a baseline description for physical processes is presented, it is not possible to agree with the conclusions in the marine ecology chapter 13 to rule out loss or damage to habitats from changes in physical processes.

Scoping Report section 13.22 - We cannot agree with the conclusion that there will be no long term changes to hydrodynamics or wave patterns caused by the new jetty until a baseline description of the physical processes of the old dock area and location/size of the proposed jetty is presented in the first instance and an assessment carried out to determine alteration to the prevailing flow patterns (if any), the wave approach and any change to the bedload sediment transport.

There is a requirement for Physical Processes Baseline understanding of Old Port Talbot Docks - Impacts on habitats and species from a deterioration in water quality from increase in salt water intrusion

We note that the proposed jetty works and bank stabilisation are located in a land-locked area of the old Port Talbot dock which is accessed through lock gates to the south west of the site. It is also noted that the old dock area is predominantly fresh water with infrequent saline intrusion when the lock gates are opened to allow the passage of vessels into the dock.

An assessment should be carried out to determine whether the proposed works will lead to an increase in ship activity in the old dock area and lead to a requirement for more frequent opening of the lock gates, which if more frequently opened, will increase the amount of saltwater intrusion and potentially alter the freshwater/saltwater balance. A change from freshwater to saltwater over time will potentially affect ecology.

Marine Water Quality and WFD

We note that WFD is currently at the 'scoping' stage and has not been provided. We therefore cannot provide comment at this time.

Paragraph 2.15 of the Non-technical summary states that the wastewater will be discharged via a discharge pipe and this will require a licence from NRW which will ensure the necessary conditions to ensure no pollution events occur. We note that it is possible to specify a mixing zone within which it is possible to breach the Environmental Quality Standard. If this is the case, the discharge and resulting mixing zone should be included in the ES. We note, however, that 'outputs from the WFD assessment' (*para 1.23*) will be reflected in the ES.

Chapter 4 Development specification, Table 4.1, pp 4.9 - The 'treated effluent water' row indicates there will be a new discharge point. However, this does not appear to be shown on the Proposed Site and Plot Plans. We request the applicant clarify where this asset will be built and whether it will be included in the marine licence.

Chapter 13 Marine Ecology, para 13.14 - This paragraph states ‘the habitat that would be lost within the footprint of the piles, or within the area contained by the sheet piles and backfill, is not afforded protection under UK or EU legislation’ is not true as would be covered under WFD regs. Within the WFD assessment the footprint of the area should be considered and if significant compared to water body size (see guidance in Clearing the Waters for All), the potential for deterioration of the Infaunal Quality Index (IQI) element should be assessed (*though please note the Benthic Ecology Comments below*).

Chapter 13 Marine Ecology, para 13.22 - Please note that the WFD regulations include fish and, as such, should be included in this list.

Benthic Ecology

We have no specific concerns regarding impacts on marine benthic habitats given the freshwater habitat within the dock. Any biosecurity issues will likely be addressed with standard Construction Environmental Management Plans (CEMPs) and within the marine licence application.

Marine Mammals

Chapter 13 – Marine ecology (13.18 and 13.19): We acknowledge the additional information supplied in paras 13.18 and 13.19. Given that “*Port Talbot Docks are isolated from the wider marine environment via a series of lock gates*”, and the absence of any publicly available record of marine mammals within the docks, we agree with the conclusion that “*no significant effects are considered likely, and the decision to scope marine mammals out*”.

Appendix 13.1 – Jetty Piling Underwater Noise Modelling Report (Section 1.2 Noise propagation modelling): We note the use of a logarithmic calculation to predict transmission loss underwater, however point out that a noise spreading term of 10 is used for cylindrical spreading (rather than spherical), and a spreading term of 20 refers to spherical spreading (rather than cylindrical).

NB* This is a minor point and maybe a result of a typological error?

Marine Ornithology

We have no concerns regarding the impact of the project on marine ornithological receptors.

Marine Fish

Given the small abstraction volume of $0.042\text{m}^3\text{s}^{-1}$, use of a 1mm mesh screen on the intake pipes, very limited amount of piling (~10 hours of piling in total over a 60 day period), and closure of the Port Talbot dock gates during piling activities, We agree with the conclusion of the assessment presented in the draft ES and have no concerns about the impact of the project for marine fish.

Protected Species

We have considered the information prepared in support of the above proposed development including:

- Project Dragon. SAF Production Facility Lighting Assessment by Lanza Tech UK Limited dated 11 August 2023;

- Project Dragon, Port Talbot. EIA Scoping Report by Turley dated May 2023;
- Ecological Impact Assessment. Project Dragon, Port Talbot Docks by RPS dated August 2023.

We note that the terrestrial ecology chapter of the ES is not included within this consultation, also the lighting report appears incomplete, with the appendices missing. We advise that these matters are addressed for the formal submission.

Otters

We note that the wider open water dock is likely to be used by otters foraging and moving through the area, but that the surveys of the site did not record any evidence of otter activity or resting places, and the habitats on site of negligible value to the species. We advise that lighting of the site avoids lighting the open water of the dock and that the following good practice measures are included in any CEMP approved for the scheme:

- i. Daytime working hours are adopted for any construction works, to commence no sooner than one hour after sunrise and finish no later than one hour before dusk.
- ii. Construction materials will be stored well away from the watercourse in way that prevents otters gaining access or using them to rest in (Eg. pipe ends will be capped or covered).
- iii. Any trenches that are left open overnight will have planks of wood placed at regular intervals to allow otters a way out.
- iv. All tools, food, litter and construction materials and packaging that may constitute a hazard to otters will be removed daily from the site.
- v. Any areas that may be suitable for use by otters will be checked immediately prior to works commencing by a suitably qualified, experienced and licensed ecologist.

We also note that a draft CEMP has been prepared for the scheme but there is no mention of good practice working measures relating to otters.

We advise that the above matters could be dealt with through the use of appropriately worded conditions attached to any planning consent issued for the scheme requiring:

- a final version of the CEMP to be agreed, and
- the submission of a lighting plan to be agreed (if not already covered by the appendices of the lighting report).

Flood Risk

We have reviewed the FCA prepared by JBA (Rev. E dated August 2023) and would have the following comments to make.

The proposed development is located within Zones B and C2 of the Development Advice Map and partly within Flood Zones 2 and 3 (Rivers and Sea) of the Flood Map for Planning. The FCA does refer to the NRW FRA maps however we would advise that these maps have no official status for planning purposes and they should not be used to inform a FCA.

To assess the flood risk to the site, JBA have utilised a fluvial and tidal flood risk model for Port Talbot. This model has been checked by NRW and is suitable for use to inform the FCA.

It should be noted that a 75 year lifetime of development should be considered for this development, however the model has not been updated for this development and therefore the results are for a 73 year LoD, the FCA does note that there will be an additional increase of 25mm based on the UKCP18 dataset for the missing 2 years but concludes that this is negligible. Based on the predicted tide levels and proposed ground levels for the site, we would agree with this.

The model demonstrates that in the fluvial scenario, the development site is flood free up to and including the 0.1% event. During the existing tidal scenario, the majority of the site will remain flood free during the 0.1%+cc event, however there will be a small amount of water overtopping from the Docks onto the access roads to the north of the site and flowing in a southerly direction before ponding in a low spot in the north of the Production Development Zone. A small part of the internal access road is also shown to flood.

To mitigate against this flood risk in the Production Development Zone, it is proposed that ground levels in this area will be raised to a minimum of 7.5mAOD and as such, the area will be shown to be flood free during the 0.1%+cc event. The small amount of flooding to the access road will remain as there are no changes to the ground levels at this location. Depths of flooding are expected to be around 4mm.

The FCA also confirms that there will be no increase in flood risk to third party land as a result of the proposed development.

Therefore, we would offer no objection to the proposed development, which demonstrates that the main area of development (Production Development Zone) will be flood free during the 0.1% fluvial and 0.1%+cc tidal scenarios and therefore compliant with TAN15, with the exception of a very small area of flooding on an existing access road adjacent to the Dock.

Groundwater and Contaminated Land

We have reviewed the following documents:

- Lanzatech Project Dragon Temporary Construction at Margam Wharf Desk Study Version A dated July 2023
- Lanzatech Project Dragon- Sustainable Aviation Fuel Production Facility (SAF)- Production Development Zone – Desk Study Version F August 2023

We agree with the recommendations, in both desk studies for further work. To that end we note that a further report has been supplied.

- Lanzatech Project Dragon- Sustainable Aviation Fuel Production Facility (SAF)- Production Development Zone Exploratory Ground Investigation Version D Report August 2023

We agree with the statement in section 6.2.7 in that extra sampling is needed to confirm the preliminary assessment and fully determine the potential risk to controlled waters and any potential remedial measures required.

We note that there is not complete coverage of the site for all the suspected contaminants, and further work should include the densities recommended in BS:10175 Investigation of potentially contaminated sites. Code of practice.

If an application was made for full planning permission, we would ask for the following conditions:

Land affected by contamination

Condition: No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- all previous uses **if the above reports are supplied we would agree that this part of the condition has been met**
- potential contaminants associated with those uses **if the above reports are supplied we would agree that this part of the condition has been met**
- a conceptual model of the site indicating sources, pathways and receptors **if the above reports are supplied we would agree that this part of the condition has been met**
- potentially unacceptable risks arising from contamination at the site **if the above reports are supplied we would agree that this part of the condition has been met**

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Contamination verification report

Condition: Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Long term monitoring plan

Condition: Prior to the operation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority.

The long term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification: A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality

Unsuspected contamination

Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Piling

Condition: No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in [Land contamination risk management \(LCRM\)](#)
2. Refer to '[Land Contamination: a guide for developers](#)' (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our [groundwater protection](#) advice on www.gov.uk

Informative/ advice to LPA

In relation to the proposed development, in so far as it relates to land contamination, Natural Resources Wales only considered issues relating to controlled waters and relevance of regulatory regimes where Natural Resources Wales is the enforcing authority, such as Environmental Permitting Regulations (EPR, 2016).

Air Quality and Noise

We have presented a high-level review of the submission i.e. chapter 12 of the EIA. We have not reviewed or commented on the accuracy of the predicted modelling results or resulting assessment of potential impact.

- The use of BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound' (BS4142) is acceptable for assessing impact on residents.
- The use of sound propagation model Predictor (v2023) is acceptable for modelling the noise impact.
- We have not commented on noise and vibration impacts associated with the construction. The Local Authority will consider this.

BS4142 is specifically written to assess the impact of sound on people who might be inside or outside a dwelling or premises used for residential purposes. The UK Environment Agencies' noise guidance entitled - 'Noise and vibration management: environmental permits' also references BS4142 as the main methodology for assessing the impact from an industrial source.

The Large Volume Organic Chemical BRef has been highlighted as the primary BRef and the applicant has also considered the Common Waste Water BRef. These references have been confirmed with our decarbonisation team who are leading on the pre-application process for the environmental permit.

You have used a sensitivity categorisation for receptors including residential as 'medium' and quiet areas (designated under the Noise and Soundscape Action Plan 2018-2023) as 'high'. It is unclear how they have come to this conclusion.

Our guidance suggests that if the initial risk assessment indicates a risk of vibration outside the site boundary, the applicant must submit a vibration impact assessment to us using BS 6472. The applicant has not provided reference to BS 6472 which may be required for the submission of the environmental permit application.

You have not provided any consideration of whether the use of soundscape assessment techniques and interventions could deliver enhanced outcomes.

Your assessment indicates adverse impact is likely at the SSRs 3 and 7, however mitigation is provided in the report with the suggestion that the noise from the ship pumps during unloading will not be in control of the applicant and that an element of ship activity around the port is to be expected. It is unclear to us whether the permitted installation boundary would encapsulate the offloading activities at the jetty and therefore whether the pumps would be considered an activity that would be regulated under the environmental permit.

Noise data has been gathered from project technical team for significant sources and used to populate the model however, it is unclear whether these sources include 1/3rd octave spectra or, like other plant and activities associated with the proposal, the spectra has been taken from the modelling software database (Predictor). Any outside the site boundary, you must submit a vibration impact assessment to us using BS 6472. The applicant has not provided reference to BS 6472 which may be required for the submission of the environmental permit application.

Industry Regulation

The proposed development of a facility for the production of sustainable aviation fuel (SAF) in the form of Alcohol to Jet Synthetic Paraffinic Kerosene (ATJ SPK), and Renewable Diesel (ATJ-RD) at land adjacent to Tata Steel by the applicant LanzaTech will require an Environmental Permitting Regulations (EPR) Installations permit under Part A(1) Section 4.1 (a) (i) of the Regulations (Large Volume Organic Chemical activity). The installation planning application specifies the storage of hazardous substances and ethanol and other substances included in the operator's proposal are named as dangerous substances within the Control of Major Accident Hazards Regulations (COMAH). There is a requirement to notify the Competent Authority if the storage quantities fall within the COMAH threshold (Schedule 1, Part 1 and 2).

The planning application outlines environmental assessments for example noise and air quality, however the process will require an EPR Permit application which will be reviewed in line Best available technology via the permitting determination process which will also consider relevant environmental impacts including potential drainage and discharge impacts.

Hydrology and Water Resources

Abstraction Licence

The ES notes that an Abstraction Licence is likely to be applied for. This should be done in the regular way with the Water Resources Permitting team, with the Hydrology team then acting to provide specific data to inform the decision. Licencing is carried out by our Hydrology and Water Resources team on a case-by-case basis. Regard will be made for the current CAMS licencing policy (Swansea Bay, Neath, Afan and Tawe) in this waterbody:

There is no water available for licensing.

This means that:

- Licences will only be considered for consumptive abstractions at the highest flows. These will be considered due to the economic importance of development in the area.
- Applications for new consumptive abstractions will be considered on a case-by-case basis and would need to be supported by an appropriate business case.
- Licences for non-consumptive abstractions would be considered.
- Any new licences will be issued with appropriate HOF conditions. Groundwater licences would not normally be available unless appropriate constraints are included as part of the conditions.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

Yn gywir / Yours faithfully

[Redacted signature]

[Redacted name]

Cyfoeth Naturiol Cymru/Natural Resources Wales

E-bost/E-mail: [Redacted email address]

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

Appendix 15: Site notice declaration

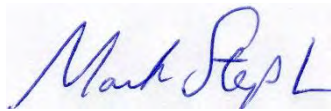
Site Notice Declaration

Pre-Application Consultation: Site Notice Declaration

I hereby declare that, as required by Article 2F(2)(b) of the Town and Country Planning (Development Management Procedure) (Wales) Amendment Order 2016, on 13th August 2023, I erected for display the statutory notices required under Article 2C(1)(a)(i) in accord with the requirements of that Article, for a period of a minimum of 28 days.

Yours faithfully,

Signature:

A handwritten signature in blue ink, appearing to read 'Mark Stephen', is shown next to the 'Signature:' label.

Name (Print): Mark Stephen

Position: Project Development Manager (LanzaTech UK limited)

Address: 2 Llynfa Road, Penclawdd, Swansea, SA4 3XD

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