

## **Appendix 16: Specialist Consultee Responses**



## City & County of Swansea / Dinas a Sir Abertawe

### Directorate Of Place / Cyfarwyddiaeth Lleodd

#### Planning and City Regeneration / Cynllunio ac Adfywio'r Ddinas

Civic Centre, Oystermouth Road, Swansea, SA1 3SN

Y Ganolfan Ddinesig, Heol Ystumllwynarth, Abertawe, SA1 3SN

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Andrea Kellegher  
Turley  
18 Windsor Place  
Cardiff  
CF10 3BY

*Please ask for:*

David Owen

*Direct Line:*

07970680587

*E-mail:*

david.owen@swansea.gov.uk

*Date:*

07/10/2024

Dear Andrea

**Application No:** 2024/1764/PAC

**Site Location:** Electric Arc Furnace And Associated Works At Port Talbot  
Steelworks Port Talbot Neath

**Proposal:** PRE APP CONSULTATION - Hybrid application to deliver an Electric Arc Furnace and associated works at the Port Talbot Steelworks

Thank you for your Pre-Application Consultation issued to us as a neighbouring Local Planning Authority (statutory consultee) relating to Tata Steel UK Ltd's intention to submit a hybrid planning application to deliver an Electric Arc Furnace and associated works at the Port Talbot Steelworks.

It is acknowledged that the application will be accompanied by a number of supporting documentations; plans and an Environmental Statement (ES). It is noted that the ES concludes that the proposed development will result in beneficial impacts on multiple environmental factors. These are summarised in the Non-tech Summary as follows:

- Air quality: The transition to EAF technology significantly reduces emissions, improving local air quality.
- Biodiversity: Great emphasis has been placed on habitat generation and re-generation being embedded into project design.
- Hydrology: There would be a considerable reduction in the contamination and discharge volumes being released into Swansea Bay.
- Traffic: Traffic volumes would decrease due to fewer heavy good vehicles movements.
- Climate change: A significant reduction in GHG emissions would contribute to decarbonization and climate change goals.

and with the mitigation recommendations made, there would be no long-term significant negative impacts on the environment due to the proposed development for most of the environmental factors that have been considered, and in terms of the impact upon the neighbouring LPA, this is not disputed and appear to be adequately addressed within the proposed application.

The key exception to this of course, as recognised in the ES, is the socio-economics and health assessment. The primary concern of employment reduction following closure of the current steelworks. It is indicated that once operational, the proposed development is expected to support a total of 5,720 full time equivalent jobs across the UK. This would represent a significant reduction of jobs when compared with the site's established baseline total of 9,790 full-time equivalent jobs

*To receive this information in alternative format, please contact the above.  
I dderbyn yr wybodaeth hon mewn fformatt arall, cysylltwch a'r person uchod.*

# **City & County of Swansea / Dinas a Sir Abertawe**

## **Directorate Of Place / Cyfarwyddiaeth Lleoedd**

### **Planning and City Regeneration / Cynllunio ac Adfywio'r Ddinas**

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across the UK, both directly and indirectly associated with the steelworks, and based on a local, sub-regional and country of Wales level. As concluded, this reduction in employee expenditure in the regional economy is also anticipated, which would have an adverse effect on businesses and associated labour force as a result of the change in employee expenditure during the operational phase. This impact will be felt across the Swansea Bay Region including within the boundaries of the Swansea Council area. It is acknowledged that the applicant is committed to mitigating this significant residual adverse effect through a package of measures relating to skills and learning, outplacement support, mental health support and reskilling and retraining to help the creation of new jobs. This would be funded by a £100 million Transition Fund.

It is accepted that the existing steelworks is a heavy carbon user and greenhouse gas emitter and the closure of the blast furnaces will result in considerable environmental benefits. It is stated that the facility is in critical need of structural investment to avoid the inevitable cessation of steelmaking at the steelworks, and this has to be accepted, as the case that without the Electric Arc Furnace investment, there would be no steelmaking in Port Talbot, which in itself would cause a significant adverse economic, social and environmental effect in Port Talbot, Wales and the UK.

Yours sincerely

*P J J Holmes*

**Phil Holmes**

**Head of Planning & City Regeneration**

Turley Associates Ltd

By email

Eich cyfeirnod  
Your reference

Ein cyfeirnod  
Our reference

LC

Dyddiad  
Date

27 September 2024

Llinell uniongyrchol  
Direct line

03000 252791

Ebost  
Email:

[cadwplanning@gov.wales](mailto:cadwplanning@gov.wales)

Dear Sir/Madam

**Pre-Planning Application - Demolition of existing buildings and structures, partial infill of the BOS lagoon, and construction of a new electric arc furnace-based steel production facility, Port Talbot Steelworks**

Thank you for your letter of 17 September 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. Our assessment of the pre-application is given below.

Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens listed in our assessment of the application below.

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

Assessment

Scheduled Monuments

GM005 Margam Abbey  
GM011 Margam Inscribed & Sculptured Stones  
GM042 Kenfig Castle & Medieval Town  
GM056 Danish Camp  
GM057 Camp N of Tonmawr



GM159 Ergyd Uchaf Round Barrow  
GM160 Ergyd Isaf Round Barrows  
GM162 Mynydd y Castell Camp  
GM163 Hen Eglwys Chapel and Defended Enclosure  
GM179 Ty'n-y-Cellar Standing Stone  
GM477 Half Moon Camp  
GM488 Chain Home Low Radar Station, Margam  
GM545 Margam Medieval Bath House

Registered Parks and Gardens

PGW(Gm)45(NEP) Talbot Memorial Park, Port Talbot  
PGW(Gm)52(NEP) Margam Park

This pre-planning application for an Electric Arc Furnace and associated works at Port Talbot Steelworks.

The above designated historic assets are located inside 5km of the proposed development.

The pre-application is accompanied by an Environmental Statement produced by the RSK Group, Chapter 11 Cultural Heritage' considers the effect of the proposed development on the historic environment including an assessment of effect of the proposed development on the settings of the above designated historic assets. Designated historic assets determined to have no discernible relationship with, or line of site with the application area are scoped out at stage one. Of the remainder taken forward for analysis scheduled monuments GM011 and GM545 are assessed as being understood in their local environment with no long-distance views which contribute to their significance and are not considered further. Scheduled monuments GM005, GM162, GM163, GM477, GM488 & GM545 and registered park and garden (PGW(Gm)52(NEP) (in the context of the Margam Conservation Area) are all predicted to experience some level of effect to their settings. In all cases this is assessed as a moderate (but not significant) effect.

We concur with the above analysis: the proposed development will not have any significant effect on the way that the above designated historic assets are experienced, understood and appreciated. Consequently, the proposed development will not have an unacceptably damaging effect upon the settings of the above designated historic assets.

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](http://www.ggat.org.uk)

Yours sincerely,

Laura Cooper



## **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 12 \(gov.wales\)](#) 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





Gwasanaeth Tân ac Achub  
Canolbarth a Gorllewin Cymru  
Mid and West Wales  
Fire and Rescue Service

Prif Swyddog Tân | Chief Fire Officer

**R.S. Thomas** *KFSM BA(Hons) MSc*

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Please ask for:  
Rhif Est/Extn.  
No.*

Station Manager D. Charles

*E-bost/E-mail:*

bregs@mawwfire.gov.uk

*Fy Nghyf/My  
Ref:*

DC/00353833

*Dyddiad/Date:*

26<sup>th</sup> September 2024

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: Hybrid planning application: full planning permission for the demolition of existing buildings and structures, partial infill of the BOS lagoon, and construction of a new electric arc furnace-based steel production facility (1 no. arc furnace, 2 no. ladle furnaces). The development includes an upgraded slag processing facility, chemical/material storage and transfer infrastructure and pipework and cabling (above and below ground), buildings, fume and dust treatment plant, water treatment facility and material handling systems. Electrical control rooms and power infrastructure. Offices and ancillary facilities together with new and amended transport infrastructure, landscaping and green infrastructure, drainage and associated engineering operations. Outline planning permission (with all matters reserved except for access and landscaping) for demolition and the construction of a scrap metal handling facility and associated scrap yards, scrap processing facility, underground and overground electrical infrastructure, and new and amended transport infrastructure, landscape and green infrastructure, drainage and associated engineering operations at Tata Steel, Port Talbot**

**APPLICATION NUMBER: N/A**

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

Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg  
- byddwn yn ymateb yn gyfartal i'r ddau ac yn ateb yn eich  
dewis iaith heb oedi.

Rydym yn croesawu galwadau yn y Gymraeg a'r Saesneg.

We welcome correspondence in Welsh and English -  
we will respond equally to both and will reply in your  
language of choice without delay.

We welcome calls in Welsh and English.

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>

Furthermore, the applicant should be advised to contact the appropriate Authority responsible for ensuring safety and compliance for these types of developments i.e., Health & Safety Executive / Local Authority Building Control.

The plan/s has been retained for record purposes.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'D.P. Charles'.

Station Manager D Charles  
Authorised Fire Safety Regulator  
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.



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**For the attention of: Andrea Kellegher**

[By email: [contact@EAFcommunications.com](mailto:contact@EAFcommunications.com)]

2 October 2024

Dear Andrea

**Re: Pre-application EAF Port Talbot Steelworks**

**Hybrid planning application to deliver an electric arc furnace and associated works at the Port Talbot Steelworks; land at Port Talbot Steelworks, Port Talbot**

Thank you for your consultation letter of 17 September 2024 seeking the views of the Coal Authority on the above.

The application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that thick coal seams outcropped across the site and that within close proximity of the planning boundary there is one recorded mine entry (shaft).

Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

In terms of the submitted Coal Mining Risk Assessment (September 2024, prepared by Wardell Armstrong), my personal opinion is that the report would be sufficient to

accompany any subsequent future planning application to meet the requirements of National policy.

In terms of the content, the investigation of shallow workings is proposed, which could be ensured by way of condition on any permission. In regard to the recorded mine entries, the Coal Authority welcomes the layout, which has been designed so that no sensitive development is proposed within proximity of them.

On account of the above, the **likely Coal Authority recommendation would be no objections, subject to the imposition of a condition to ensure the investigation of potential shallow coal workings and the implementation of any necessary remedial measures.**

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

I hope this is helpful however please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

**Chris MacArthur**

**Chris MacArthur** *B.Sc.(Hons), DipTP, MRTPI*

**Planning Liaison Manager**

#### General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our

permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

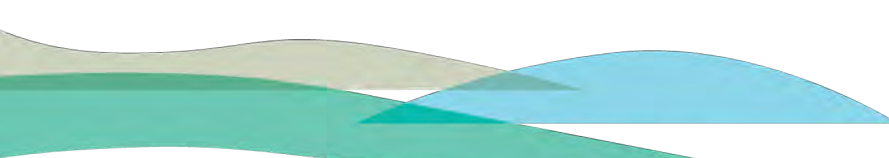
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

#### Disclaimer

The above consultation response is provided by the Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.



c/o Turley  
EAF Tata Steel consultation  
18 Windsor Place  
Cardiff  
CF10 3BY

**Date: 08/10/2024**  
**Our Ref: PPA0008953**

Dear Sir/Madam,

**Grid Ref: 277606 186295**

**Site Address: Land at Port Talbot Steelworks, Port Talbot**

**Development: Article 2D - Electric Arc Furnace and Associated Works at the Port Talbot Steelworks.**

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 proposed development of an electric furnace on Land at Port Talbot Steelworks 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 system, we offer the following comments as part of our appraisal of this development.

### **PUBLIC SEWERAGE NETWORK**

There is no public sewerage system in this immediate locality and therefore any new development will require provision of satisfactory alternative facilities for sewage disposal. Alternatively, the site is located approximately 1200 metres to the south of a public sewerage system that drains to Afan works WwTW, and it may be possible for the Developer to requisition sewers from Dwr Cymru Welsh Water under Sections 98 - 101 of the Water Industry Act 1991.

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 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 foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system. We advise that the flows should be connected to the foul sewer at or downstream of manhole SS78852101.

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.



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.  
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in  
Welsh and English

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.

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](http://www.dwrcymru.com).

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

### **SEWAGE TREATMENT**

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

### **POTABLE WATER SUPPLY**

We anticipate this development will require the installation of a new single water connection to serve the new premise. The provisions of Section 45 of the Water Industry Act 1991 apply. We therefore rely on the Local Planning Authority to control the delivery of any required reinforcement or offsite works by way of planning condition at planning application stage.

We have not been furnished with adequate information to assess the water supply requirements for the development proposed. A request has been made for this information. Until this information is received we're unable to confirm if capacity is available within the existing potable water network.

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



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Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in  
Welsh and English

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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.

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](mailto:developer.services@dwrcymru.com)

Please quote our reference number in all communications and correspondence.

Yours faithfully,

**Rhys Evans**  
**Planning Liaison Manager**  
**Developer Services**

***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.***



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.  
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in  
Welsh and English

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

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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/4/24/0010/00  
APPLICANT: TATA STEEL  
LOCATION: LAND AT PORT TALBOT STEELWORKS  
PROPOSAL: NEW ELECTRICAL ARC FURNACE (EAF) &  
ASSOCIATED WORKS

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

|                                                                                                           |                                     |
|-----------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>No comment</b>                                                                                         | <input type="checkbox"/>            |
| <b>No objection</b> (subject to any specified conditions below)                                           | <input type="checkbox"/>            |
| <b>Concerns have been identified</b> (see below for how those concerns can be addressed by the applicant) | <input checked="" type="checkbox"/> |
| <b>Objection</b> – on the grounds set out below                                                           | <input type="checkbox"/>            |
| <b>SAB</b> (SAB approval is required)                                                                     | <input checked="" type="checkbox"/> |

#### **MY OBSERVATIONS ON THIS PAC ARE AS FOLLOWS:-**

##### **Highway Comments**

In principle, I have no objection to the proposals demonstrated within the ‘Chapter 12 - Transport and Access’ documentation submitted. The development is located within Port Talbot Steelworks, a site with established Public Transport and Active Travel links near to site, to encourage ‘Greener’ methods of travel to work.

As demonstrated within the “Chapter 12 – Transport and Access” and “Transport Assessment – CT/210634/TA/04” documents, the proposed development, once operational, will result in a significant reduction in traffic movements due to staff reduction and material import via rail network.

Furthermore, during the 30 month anticipated construction period, assessments show that there will be a material net traffic reduction in the AM peak hour at all relevant junctions when compared to the established baseline position (June 2022). Whilst there will be net increase in traffic during the PM peak hour movements. The additional traffic will not have a material impact at any junctions within the study area and all junctions are able to facilitate the increased capacity over the construction period.

Notwithstanding the above, I have the following Highway Safety Concerns in relation parking at the site during the Construction and Operational Phase:

1. Section 3.15 'Parking' within the 'Transport Assessment - CT/210634/TA/04' expresses that the 180 Space Car Park to the East of the BOS Plant will house 9 Disability Bays and 10% EV Bays.  
18 Dedicated Bays for EV charging shall be shown clearly on Drawing Number EAF-LAW-14-X-DR-A-060001, Rev 4 – Unit 14, Car Parking Area GAs'
2. In accordance with NPTCBC's Parking Standards SPG 3.2.6 "Safe pedestrian access routes shall be provided within all new car parks".  
An unobstructed pedestrian access route around the car park, inclusive of crossing points, shall be annotated on Drawing Number EAF-LAW-14-X-DR-A-060001, Rev 4 – Unit 14, Car Parking Area GAs'
3. Temporary parking within compound areas, as described in 3.15 'Parking' within the 'Transport Assessment - CT/210634/TA/04' shall be set out and designed in accordance with NPTCBC's Parking Standards SPG with safe pedestrian access throughout.
4. Should for any reason, parking not be available within suitable walking distance to a given construction area for Construction Operatives, or a safe pedestrian access routes established. Transport shall be provided by the developer from the main car park to the relevant area of operation.
5. No development shall take place until Temporary Car Parking plans for all Site Operatives and Visitors have been submitted and approved by the Local Planning Authority. Construction Personnel and Visitor Parking shall also form part of the Approved CEMP.
6. Construction Directional Signage, when exiting the site, as shown on Drawing Number 'SCP/210638/D01 – Route Signage Locations' shall be placed in accordance with the plan provided to ensure that vehicle visibility splays are not obstructed.  
Temporary signage shall be placed adjacent to the footpath and shall not interfere with public passage in accordance with the Highways Act 1980.

### **Drainage Comments**

1. It is acknowledged that a SAB Pre-Application Submission has been received, reference SP2024/0040, in relation to this PAC.  
Prior to any works commencing on site, a Full SAB approval will be required. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on <https://www.npt.gov.uk/sab>
2. Should any springs or ground water seepage be encountered the on site works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall be discharged into the proposed drainage scheme.

3. There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Authority.
4. Unless otherwise agreed in writing by the Local Planning Authority, foul water and surface water discharges shall be drained separately from the site.
5. Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the life time of construction.

## **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](http://www.npt.gov.uk/activetravel).

Please note that from 7<sup>th</sup> January 2019, all new developments of more than 1 house, or where a construction area is of 100m<sup>2</sup> 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 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](http://www.npt.gov.uk/sab).

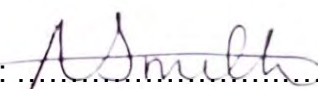
Prior to commencement of any works within a watercourse, hereby approved permanent and temporary under Section 23 of the Land Drainage Act 1991 must be obtained from the Authority. You are therefore advised to contact the [SAB-HDC@npt.gov.uk](mailto:SAB-HDC@npt.gov.uk)

Please note such consents can take up to 8 weeks to be processed after registration and early application is advised.

Notwithstanding the necessary consent required under section 23 of the Land Drainage Act 1991. The applicant must note that any culverts/ditches/open watercourses that conveys water through their land are to remain free from obstruction at all times. All tributary watercourses (culverted or not) located within the applicants land would be riparian responsibilities whereby the responsibility to sustain the flow of watercourse would remain with the land owner and subsequently passed on to the respective landowners thereafter should the land be sold.

***The above observations are provide without prejudice and are based upon the information submitted at the preliminary stage. However, should further amendments or any additional information be submitted thereafter, our observations may change to reflect these amendments and/or additional details.***



SIGNED:  DATE: 01/10/2024  
pp HEAD OF ENGINEERING & TRANSPORT

PAC Ref: N424001000

Ein cyf/Our ref: CAS-264694-H0H6  
Eich cyf/Your ref:

Owen Francis  
EAF Tata Steel consultation  
c/o Turley  
18 Windsor Place  
Cardiff  
CF10 3BY

Dyddiad/Date: 14 October 2024

Annwyl Syr/Dear Sir,

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

**BWRIAD/PROPOSAL: Hybrid planning application:**

Full planning permission for the demolition of existing buildings and structures, partial infill of the BOS lagoon, and construction of a new electric arc furnace-based steel production facility (1 no. arc furnace, 2 no. ladle furnaces). The development includes an upgraded slag processing facility, chemical/material storage and transfer infrastructure and pipework and cabling (above and below ground), buildings, fume and dust treatment plant, water treatment facility and material handling systems. Electrical control rooms and power infrastructure. Offices and ancillary facilities together with new and amended transport infrastructure, landscaping and green infrastructure, drainage and associated engineering operations.

Outline planning permission (with all matters reserved except for access and landscaping) for demolition and the construction of a scrap metal handling facility and associated scrap yards, scrap processing facility, underground and overground electrical infrastructure, and new and amended transport infrastructure, landscape and green infrastructure, drainage and associated engineering operations.”

**LLEOLIAD/LOCATION: Tata Steel, Port Talbot Steel Works**

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 18 September 2024.

**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 Pollution Prevention 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.**

Please note, for ease of reference we have split our comments into planning and permitting sections. Also, we have not provided any Air Quality planning comments at this stage.

### **Planning**

#### **Pollution Prevention**

Further information is required on the methodology used to define the 3 surface water contamination risk categories: high, medium or low attributed to different areas across the site, as part of the surface water drainage and treatment strategy. Has sufficient consideration been given to the surface water pollution risk posed from hydrocarbons and suspended solids on roadways and road junctions where there will be heavy volumes of HGV traffic or where Heavy Plant Machinery such as Steel Slab Carriers traverse?

The use of air-cooled blast furnace slag as an unbound aggregate in construction, should be avoided in: water logged, poorly drained areas and below the water table, as bacterial or chemical action on slag and leachate can give rise to sulphides and other compounds that can be harmful if they enter the water environment.

How will storm water be managed in order to protect the private effluent treatment process?

Have pre-treatment systems been considered as part of a tiered approach to the treatment of contaminated surface water generated from activities across the site?

Please provide further details of the existing overflow arrangement from the water treatment plant which, allows surface water to enter the public foul drainage network.

Please note that Tata does have an existing water discharge activity permit in respect of their private sewage treatment plant for the Visitors Centre and Stores, which discharges into the Arnallt Culvert.

The proposed watercourse diversion will require further information in support of the application detailing the pollution prevention (water) methods to be deployed during the construction phase, together with any controls which may be deployed post construction, whilst vegetation establishes along the new riparian zone. This aspect may be directly controlled via an application for an Ordinary Watercourse Consent with Neath Port Talbot County Borough Council.

A method statement and water pollution prevention control measures will need to be developed for the partial infilling of the lagoon, this should include details and procedures relating to how water and sediment will be managed.

Guidance for Pollution Prevention 20 (GPP20): Dewatering underground ducts and chambers, is directly relevant to the: demolition and decommissioning of existing structures, dusts and/or pipework, together with the associated risk presented from striking buried services during construction. Such activities present a risk of pollution to surface waters and groundwater. We would welcome further information in this regard.

Will water quality chemistry treatment objectives be set for any temporary water discharge activities resulting from the proposed construction phase? If so, who will be responsible for: developing, managing and supervision of such activities?

We welcome the commitment to produce a soil and excavated materials management plan.

We note that demolition and construction effects will be mitigated through a Construction and Logistics Plan (CLP) and Construction Environmental Management Plan (CEMP) are these likely to be high level documents? Given the overall scale of the project will these be supported by supplementary documents detailing the mitigation for the individual phase or stage of each development?

The following Guidance for Pollution Prevention (GPP's) are all relevant:

GPP: 5 Works and maintenance in or near water

GPP: 6 Working on construction and demolition sites

GPP: 20 Dewatering underground ducts and chambers

GPP: 21 Pollution incident response planning

GPP: 27 Installation, decommissioning and removal of underground storage tanks

We note that abstraction from the River Ffrwdwyllt will no longer be required, this abstraction point can cause public concern relating to the risk posed to wildlife (fish and wildfowl) by the abstraction grids. Please provide details of your proposals for the removal and restoration of this abstraction point.

### *Chapter 9: Surface Water, Flood Risk and Drainage*

9.6.12 - Depending on volume and duration of abstraction this may require a licence. The applicant is recommended to undertake pre-app discussions with us at the earliest opportunity.

9.6.14 - The existing site abstraction licence may require variation to include use for production of concrete. The applicant is recommended to undertake pre-app discussions with us at the earliest opportunity.

9.6.21 - Due to the nature of the site and the potential risk of unknown contaminants, a monitoring strategy is required for the clean network during construction and for a period post construction, timescale to be agreed with us, to ensure the clean network remains so.

9.6.30 - Consideration should be given to other known contaminants from site such as, but not limited to, Zn, Ni, Cu, PAH's. A baseline for these among others should be established so that they can be incorporated into the improvement programme.

9.7.16 - See comment in relation to 9.6.14

9.7.25 - We welcome the commitment to remediate "deep drain" and associated ditches. However, we recommend the aim should be to remediate as far as reasonably practical in line with established contaminated land and water remediation techniques, beyond what is required to achieve permit compliance. This will allow for future updates to BAT where limits may be further tightened.

9.7.28 - See comment in relation to 9.6.21

## **Noise**

Documents reviewed:

- Chapter 7 – Noise and Vibration of Tata Steel UK Limited - EAP: Environmental Statement, Vol. 2 664195-01 (00)
- Appendix 7.1 Noise and Vibration Impact Assessment – Scrap Handling Facility EAF PROJECT Tata Steel UK Limited 2062419-RSKA-RP-002-(01)
- Appendix 7.2 Noise and vibration impact assessment – EAF PROJECT Tata Steel UK Limited 2062419-RSKA-RP-001-(01)

Generally, we agree with the methodologies used in the assessments as we have had previous discussions which informed the 'Acoustic Assessment Method Statement - EAF Project Ref 2062419-RSKA-MS-001-(04).'

Best Available Techniques for noise specific to metal production, EAF and scrap handling is provided in relevant BRefs. These should be considered in the design stage along with Best Practicable Means (BPM).

Soundscapes - The guidance for assessing soundscapes is provided in ISO 12913:2014. The supporting document 1 of the **draft TAN11** as well as stating that an applicant should 'achieve good acoustic quality through good acoustic design' also states that 'where practicable, use a soundscape design approach to deliver enhanced outcomes'. There is also reference in the draft guidance to 'new industrial development within or close to an existing settlement' as to where the use of a soundscape design approach can be practicably used.

- o In addition the footnote in Table 2 of the draft supporting document states that 'Where noise sources are also sources of air pollution, the Noise and Soundscape Design Statement should provide evidence that good acoustic design has been taken forward in such a way as to maximise synergies and minimise conflicts with measures designed to reduce people's exposure to air pollution.'
- o We think that there are opportunities to consider design techniques other than those proposed in this chapter which can be applied to the early stages of the process. It is unclear whether the applicants statement that 'good acoustics design' will include such soundscape design techniques.
- o Table 19 of Appendix 7.1 and 7.2 is slightly misleading in that observations presented in this table are not necessarily soundscape observations rather acoustic environment observations and ISO 12913 outlines that difference between the two.
- o Section 3.2.6 of both Appendix 7.1 and 7.2 will require further justification if presented for the environmental permitting regime.

Chapter 7 – Table 7.12 Definition of the magnitude of impact - The definition of magnitude of impact - Should the description of operational impact read 'Project specific sound level results in ..... in ambient sound level **and** project rating level ..... existing background', rather than **OR**.

We acknowledge the difficulty and also the associated uncertainty where prospective equipment supplier has provided sound data and how any change to plant and equipment may change going forward and the impact upon the results presented in the submitted reports.

Chapter 7 Section 7.8.12 Chapter correction – Does the 6dB correction for impulsivity predict the likely impact at receptors? Is there any requirement to add +3dB for intermittency?

Appendix 7.1 Section 3.2.2 2024 Proxy Survey Results - L<sub>90</sub> Background levels are statistically analysed using 1hr daytime and 15minute night time periods. Other than the reference time period for the assessment of Specific sound, there is no requirement to assess these time periods differently. Is there likely to be any change to the day time/night time L<sub>90</sub> level if the same time period is applied to both day and night?

### **Groundwater and Contaminated Land**

Documents reviewed:

- Tata Steel UK Limited 10-i EAP: Environmental Statement, Vol. 2. Chapter 10 Land, Soil and Groundwater. Prepared by RSK Geosciences
- ES Appendix 10.1 Tata Steel UK Limited EAF Project Phase 1 Desk Study Ref: 315531 R01 (01). Prepared by RSK Geosciences

We are in broad support of the recommendations (within both documents) to carry out a site investigation, risk assessment and (if required) subsequent remediation strategy. It is understood that the Site Investigation is currently underway or due to commence shortly.

It is noted that there are slight differences in the red line boundary of the plan provided in Figure 3 of the Phase 1 Desk Study report to the outline application boundary of the Hybrid application (most notably in at the South Eastern edge). This may need to be considered in relation to the site investigation in order to provide adequate coverage in this area.

Table 10.7 of Chapter 10 of the Environmental Statement states that the risk from pathway creation/contamination mobilisation during piling works is low and that additional mitigation is not required. This will need to be demonstrated by a Piling Risk Assessment (informed by site investigation data) which we would look to control via condition.

Based on the information provided in this statutory pre-app and in order to provide control over the recommendations for additional investigation/assessment (in the aforementioned reports) we therefore request the following conditions/informatives. This is subject to change should additional information be received.

## 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
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site *[largely completed]*
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 occupation 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**

**Condition:** Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long- term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

**Justification:** To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

## **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. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately.

## **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.

## **Informatives:**

### **Surface water drainage**

We advise an informative is included on any decision notice informing the applicant to obtain the approval of the SuDS Approving Body (SAB) for their management of surface water.

We advise that infiltration of surface water drainage into the ground should only be permitted for parts of the site where it has been demonstrated there is no resultant unacceptable risk to controlled waters.

This should be informed by the applicant's existing ground investigations and/or remediation strategy. If this is not properly controlled, the development may create pathways for pollution to controlled waters.

### **Waste on site**

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the [CL:AIRE Definition of Waste: Development Industry Code of Practice](#). This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterized both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays

### **Model Procedures and good practice**

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 the [Environment Agency's \(2017\) 'Approach to Groundwater Protection'](#)

### **Flood Risk**

Having reviewed the Flood Consequences Assessment (FCA) (Doc Ref. DRAFT - FCA - EAF Project - TATT3054 - Rev D) submitted in relation to the proposed at Tata Steelworks, we have no flood risk concerns at this moment in time. The FCA identifies that a small part of the application site is located within the 0.1% fluvial floodplain, although at present no above ground development is proposed in this area and therefore it is considered unlikely to have an effect. We are in agreement with JBA's findings and would offer no adverse comments.

### **Biodiversity**

We note that surveys were undertaken for bats (trees, structures and activity surveys), great crested newt, dormouse, otter, water vole and badger.

No evidence of bat roosting, dormouse, great crested newt, otter or water vole was confirmed within the redline boundary and as a result these species were scoped out of the Environmental Statement (ES). We note that an outlier badger sett was confirmed close to the boundary but that this was more than 30m from any working areas. As a result, we have no further comments to make on these species.

We note that bat activity is scoped into the EIA but that it is considered that activity levels (low activity of 5 species/species groups) are of local importance only. We welcome that measures to minimise light spillage will be included within a CEMP and have no further comments to make in this regard.

Given that the ES notes that a range of habitats are present on site capable of supporting great crested newt, water vole, otter and bats, we advise that should more than 2 years pass between the original surveys and construction, updated pre-construction surveys for these species are carried out.

### **Protected Sites**

The mitigation planned is excellent and will complement Margam Moors SSSI in terms of habitat extent and connectivity.

We are also satisfied with the assessment of impacts on nearby protected sites, while there may be a small temporary increase in potential air quality problems, the long-term improvements can only benefit the sites and their features in the future.

### **Landscape**

Our landscape planning advice relates to the landscape character and visual amenity of the Gower National Landscape (AONB) and its setting, and the statutory purpose of the designation to conserve and enhance its natural beauty.

Documents reviewed:

- Environmental Statement Volume 2 Tata Steel UK September 2024 including:
  - *Chapter 2 Proposed Development*
  - *Chapter 5 Landscape and Visual RSK September 2024*
  - Appendix 5.1 LVIA methodology and criteria
  - Appendix 5.2 Visuals methodology
  - Appendix 5.3 Landscape Sensitivity
  - Appendix 5.4 Viewpoint analysis
  - Appendix 5.5 Baseline lighting report and Photomontage
- Figures 5.1 – 5.33 LVIA Mapping and viewpoints (including Fig 5.1 ZTV and viewpoints)
- *Chapter 15 Cumulative Effects*
- Design and Access Statement, Turley, September 2024
- Planning Statement, Turley, September 2024
- Plan Pack September 2024

The Gower National Landscape lies approximately 13km to the west of the site. We confirm that a Landscape and Visual Impact Assessment (LVIA) has been undertaken as part of the ES in accordance with Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) including visualisations and photography in accordance with Visual Representation of Development Proposals (Landscape Institute Technical Guidance Note 06/19) The LVIA includes a ZTV (Figure 5.1) setting out viewpoints including viewpoint 21 from Mumbles Hill information point within the National Landscape.

We generally agree with the assessment at 5.5.33 that although the proposed development is visible from the eastern most extents of The Gower, visibility would be limited by intervening distance and the proposed development would appear comparable to existing industrial features within the wider panoramic views and may be difficult to discern separately from the existing steelworks as illustrated by viewpoint 21.

We agree that impacts are likely to be small to very small, with an overall effect on views from the Gower National Landscape likely to be **minor**.

### **Environmental permitting**

This development will require a variation to Tata Steel UK Ltd's environmental permit with the reference number BL7108IM issued under the Environmental Permitting Regulations (England & Wales) 2016 [EPR 2016]. The applicant is encouraged to make use of our [pre-application advice service](#) to address issues likely to be raised during the permitting process.

The primary permitted activity (for electric arc steelmaking) will fall under Schedule 1 / Part 2 / Chapter 2 / Section 2.1 Part A(1)(b) of the EPR 2016. It will be necessary to include several other permitted activities associated with the primary steelmaking activity. It is recognised that new activities may need to be added, some existing activities may evolve, and the applicant may apply to surrender other existing activities which are no longer carried out.

Multiple permit applications may be necessary to consider the different components of this large and complex project, particularly if the applicant's intention is to deliver the project in a sequential manner. These will be assessed in accordance with our permitting guidance, our revised charging scheme and new charging tools for environmental permitting. The applicant is strongly advised to seek guidance from us before applying for any permit variations or partial permit surrenders.

The environmental permit will control emissions to air, land and water from the installation. Noise, odour and fugitive dust emissions from the permitted activities are controlled using specific permit conditions. The applicant must demonstrate a satisfactory level of environmental protection is achieved and the impact of the permitted activities on people and the environment is minimised. Mitigation measures may be required to control emissions from the permitted activities and reduce impact(s) to acceptable levels.

We also use conditions to ensure relevant Best Available Techniques (BAT) are applied to prevent or minimise the environmental impact of the permitted activities. Relevant BAT for this development includes (but is not limited to):

- Published BAT Conclusions for Iron and Steel Production (European Commission, March 2012) – this remains the primary set of BAT Conclusions for the permitted installation.
- Published BAT Conclusions for Waste Treatment (European Commission, August 2018 – this is an important set of secondary BAT Conclusions for this installation, relevant to both full and outline planning matters described in the application.
- Draft BAT Conclusions for the Ferrous Metal Processing (Forming) Sector (United Kingdom BAT system, formal draft F3) – this will be an important set of secondary BAT Conclusions for this installation. Publication of these UK BAT Conclusions is expected in 2025.

Emission limits or performance levels associated with relevant published BAT must be met by permit holders. New plant is expected to meet relevant BAT standards and emission limits in full, subject to any applicability constraints.

The application indicates a change will be needed to the permitted installation's site boundary. If this is the case, then a revised Site Condition Report will have to be submitted in support of any variation application.

It is noted that part of this application's site boundary appears to extend into other, 'ring-fenced' permitted activities within the steelworks which are managed and operated by contractors delivering services on Tata Steel's behalf.

Variations, partial transfers or partial surrenders may be required for these environmental permits, depending on the entities involved and the extent of any changes.

Tata Steel and its contractors (who hold environmental permits) are encouraged to contact permitting guidance and advice.

Light pollution is not controlled by the environmental permitting regime, therefore the Planning Authority may wish to consider the implications of increased industrial lighting provision e.g. scrapyard floodlights, rail network lighting proposed as part of the outline planning matters.

### ***Other regulatory considerations***

Other environmental consents, authorisations or notifications may be required to deliver the applicant's project. Examples include:

- Greenhouse Gas emissions permit
- Radioactive Substances Regulation permit(s)
- Water Abstraction licence(s)
- Hazardous Substances Consent
- Control Of Major Accident Hazards (COMAH)

Cessation of the applicant's previous iron and steelmaking and energy generation activities i.e. Coke Ovens, Sinter Plant, Blast Furnaces, Basic Oxygen Steelmaking Plant, Power Plant will require notifications to NRW under the Greenhouse Gas (GHG) permit regime. Permit variations will also be required to accurately reflect the evolving GHG emissions profile of the installation.

Guidance on surrendering all or part of a radioactive substances permit can be found here: [Natural Resources Wales / Apply to surrender a radioactive substances permit](#). An operator proposing to surrender a permit for a radioactive substances activity on a non-nuclear site will need to show measures have been taken to return the site to a satisfactory state, and there is no significant risk to people or the environment.

It is understood the development should result in reduced water abstraction for process and cooling purposes and some existing steelworks abstraction licences may no longer be needed. Cancelling (revoking) an abstraction licence is free and NRW will aim to make a decision within 20 days. We also offer a [pre-application advice service](#) for water abstraction and impoundment licence applications.

The COMAH Competent Authority (CA) in Wales should be consulted on any relevant safety and environmental aspects, particularly if the storage of dangerous substances has exceeded (or will exceed) notifiable thresholds, or if the COMAH establishment's Site Safety Report needs to be modified.

### ***Air Quality***

Our South West Wales Industry Regulation Team has signposted relevant [horizontal guidance](#) on environmental risk assessments and screening tools to help the applicant assess air quality impacts from the proposed development.

We would expect use of relevant BAT to minimise emissions and air quality impacts from the proposed development.

It is noted that EAF de-slagging, EAF material handling systems and scrap metal shredding activities will benefit from new emissions control systems, such systems would be assessed as part of a permit variation application.

The permitted steelworks installation (and the proposed development) is located near the Port Talbot Air Quality Management Area (AQMA) for PM<sub>10</sub>. The proposed slag processing, red (EAF) dust handling and scrap metal handling facilities are potential sources of fugitive dust and PM<sub>10</sub> emissions. This proposal will significantly increase the amount of scrap metal managed at the steelworks compared to the previous iron and steel production methods.

Air Quality Management Plans (AQMPs) required by the steelworks environmental permit will need to be revised and updated to reflect the changes described in the application documents. This includes AQMPs for retained steelworks areas no longer used for their original purpose, but which may still be capable of generating fine particulate and/or nuisance dust emissions e.g. idle or repurposed raw material stockyards. There is still potential for fugitive dust emissions from non-operational areas of the site until these are cleared of any loose material(s), stabilised and remediated/restored. We are happy to work with the Planning Authority to identify ways of minimising air quality impacts from such areas/activities.

### **Noise (full planning matters)**

The published BAT Reference document for Iron and Steel Production states: *“The main share of noise emissions are contributed by the melting shop including EAF, the scrapyard and primary dedusting.”*

It is recognised that using the former Basic Oxygen Steelmaking (BOS) building to enclose the new electric arc furnace and ladle furnaces may minimise noise from the primary steel production activity. Use of the CONSTEEL technique should also result in low noise emissions compared to a traditional, batch fed EAF.

The proposed primary dedusting (abatement) system is situated to the west of the BOS building and is even further away from nearby sensitive receptors. New and existing steelworks structures may partially block, or attenuate noise generated by this abatement system.

Further detail will be required to support an environmental permit variation application to ensure that operational noise from the primary production and emissions abatement activities is adequately controlled and will not cause pollution.

### **Noise (outline planning matters)**

We have concerns regarding potential operational noise emissions from scrap metal deliveries and the scrap metal handling facility described in this application i.e. the outline planning matters.

We are concerned that the increased scale, complexity and operating frequency of scrap metal deliveries and the proposed scrap metal handling facility will lead to intermittent or impulsive noise nuisance at nearby residential properties, particularly at night-time.

The proposal indicates a 24/7 operation with a notable increase in rail traffic i.e. scrap metal deliveries during the daytime and at night (see Appendix 7.1 4.4.3 and 4.4.4).

The Noise and Vibration assessment (Environmental Statement Chapter 7, supported by Appendix 7.1 for the proposed Scrap Handling Facility) has identified medium impact and moderate (but not significant) effect on nearby residential receptors, with rated sound levels up to 7db above the background level at certain locations.

Additional noise mitigation (beyond the embedded techniques for the Operational Phase identified in Appendix 7.1) has not been considered.

The assessment states the applicant has accounted for site context, receptor sensitivity and impact magnitude, producing a 'moderate' adverse effect result at residential dwellings which is not considered significant based on assessed site context and professional judgement.

The applicant argues that impulsive sound events from the steelworks are already present (and audible) at nearby sensitive receptors, limiting the potential impact of this aspect of the activity. We believe that the scale and frequency of scrap deliveries, handling activities and scrap movements will increase as a result of the proposed development. This development will also see a general relocation of industrial activity towards the southern end of the steelworks, changing the overall soundscape in Port Talbot and the character of night-time sounds emanating from the steelworks.

Reasonable restrictions on allowed scrap metal delivery times and/or scrap metal handling facility's operating hours, especially during nighttime, may control or reduce the potential for nuisance noise impact at nearby sensitive receptors. It is understood that hours of use (industrial) can be controlled through the planning regime.

Rail connections to the new scrap metal handling facility should be designed in such a way as to minimise the number of level crossings with audible warning systems capable of generating noise disturbance/annoyance at nearby sensitive receptors. Such warning systems could activate frequently based on the number of scrap metal (rail) deliveries being proposed.

### ***Raw materials and waste management***

Raw materials, by-products and wastes associated with the proposed development should be processed and stored using techniques to prevent, or where not possible, minimise, fugitive emissions.

Fugitive emissions from vehicle movements within the steelworks can be a source of fine particulates and nuisance dust emissions, especially if mitigation measures are not employed e.g. covering vehicle loads, wetting and sweeping dusty haul roads. The environmental permit normally contains conditions designed to control such emissions.

Covered conveyor systems should be employed where possible to minimise emissions from material movements and reduce the number of heavy vehicle movements necessary to keep the installation operating. Relevant techniques are described in the published BAT Conclusions for Iron and Steel Production.

Fugitive emissions from scrap metal delivery, storage, treatment and handling can be minimised by undertaking these activities inside a building. This approach may also allow control of noise emissions if it is difficult or unreasonable to place restrictions on the installation's hours of operation.

There is limited information about the proposed slag processing facility, however we would expect it to meet relevant BAT standards and any applicable emission limits (if dust extraction and abatement is employed).

We would expect waste red dust (from the EAF) to be handled and stored inside buildings, enclosures or in a manner that minimises fugitive dust emissions from this activity. Large stockpiles of this hazardous waste material would not be expected for a new electric arc furnace installation.

These matters will be assessed in more detail by us following the submission of the environmental permit (variation) applications needed for this development.

## **Surface water**

To control and/or minimise surface water emissions and reduce loading on the installation's effluent treatment system, we would expect EAF slag storage and weathering activities to be situated on impermeable surfaces with sealed drainage systems. Runoff from stockpiled EAF slag can be highly alkaline and may also contain metallic pollutants.

It is noted that the applicant proposes to store unprocessed scrap metal and non-ferrous (shredder) residues on impermeable concrete with a sealed drainage system connecting to appropriate water treatment facilities. Managing scrap metal in this manner should reduce the probability of land and groundwater contamination e.g. from contaminated scrap, oils or other pollutant. The use of a building reduces the volume of run-off that requires treatment.

It is also noted that incoming 'metallics' such as Hot Briquetted Iron (HBI) will be stored on impermeable concrete prior to transfer to the HBI bunker.

The South West Wales Industry Regulation Team has provided guidance on the applicable requirements for containment systems for polluting liquids.

## **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](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

## **Louise Edwards**

Uwch Cynghorydd - Cynllunio Datblygu/Senior Advisor - Development Planning  
Cyfoeth Naturiol Cymru/Natural Resources Wales

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.

EAFF Tata Steel consultation  
c/o Turley  
18 Windsor Place  
Cardiff  
CF10 3BY

Chemicals, Explosives,  
Microbiological Hazards Division

**Berdine Clews**

Statutory and Commercial  
Land Use Planning Advice  
HSE, Harpur Hill,  
Buxton,  
Derbyshire,  
SK17 9JN

[lupenquiries@hse.gov.uk](mailto:lupenquiries@hse.gov.uk)

<http://www.hse.gov.uk/>

Head of Team  
Stuart Reston

HSE Ref: W2381

Date: 10<sup>th</sup> October 2024

For the attention of Marley Bennett

Dear Mr Bennett,

**Consultation before applying for planning permission – Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended Planning**

**Proposal: “Hybrid planning application: full planning permission for the demolition of existing buildings and structures, partial infill of the BOS lagoon, and construction of a new electric arc furnace-based steel production facility (1 no. arc furnace, 2 no. ladle furnaces). The development includes an upgraded slag processing facility, chemical/material storage and transfer infrastructure and pipework and cabling (above and below ground), buildings, fume and dust treatment plant, water treatment facility and material handling systems. Electrical control rooms and power infrastructure. Offices and ancillary facilities together with new and amended transport infrastructure, landscaping and green infrastructure, drainage and associated engineering operations.**

**Outline planning permission (with all matters reserved except for access and landscaping) for demolition and the construction of a scrap metal handling facility and associated scrap yards, scrap processing facility, underground and overground electrical infrastructure, and new and amended transport infrastructure, landscape and green infrastructure, drainage and associated engineering operations”**

**Location: Port Talbot Steelworks, Port Talbot**

1. Thank you for your letter of 17 September 2024 seeking HSE's comments on the pre-application enquiry relating to the above proposal at Port Talbot Steelworks, see Appendix 1 for Proposed site plan (drawing EAF-LAW-X-X-DR-A-900009 dated 23/08/24).

2. Under Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended by the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, HSE, as a statutory consultee, should be consulted at the pre-application stage on proposals for major developments within the consultation distance of major hazard sites and major accident hazard pipelines.

3. The proposed development site identified in this pre-application enquiry lies within the inner, middle and outer zone of the HSE consultation distance associated with Tata Steel UK Ltd, Port Talbot (see Appendix 2 with the proposed site plan overlaid with HSE consultation zones). This is a major hazard site by virtue of the hazardous substances consent which allows a specified quantity of a hazardous substance to be held under the Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) (Wales) Regulations 2015.

4. The proposed development has been considered in relation to its location within the consultation distance of the Tata Steel UK Ltd site, in accordance with HSE's land use planning (LUP) methodology (see <http://www.hse.gov.uk/landuseplanning/methodology.pdf>). According to our LUP methodology, for development type 'workplaces' providing for 100 or more occupants in any building or having 3 or more occupied storeys in height would normally be classed as a sensitivity level 2 (SL2) development. As less than 10% of the development lies within the inner zone, then HSE would treat the proposed development as lying in the middle consultation zone. HSE does not advise against a SL2 development located in the middle or outer zone. In addition, as stated within HSE's LUP methodology where the development proposed is at the major hazard site itself (as in this case) then in this case the sensitivity level would be assigned to SL1. HSE does not advise against a sensitivity level 1 development in the inner, middle or outer consultation zone of a major hazard site.

5. Consequently, **HSE would not advise, on safety grounds, against the granting of planning permission for the proposed development.**

6. This advice is based on the information provided on this pre-planning application and HSE's existing policy for providing land-use planning advice and is the response

which HSE would provide should the development proposal be submitted for formal consultation in its present form. However, HSE's advice in response to a subsequent planning application may differ should HSE's policy, or the development details, have changed by the time a formal application is submitted.

7. The fact that the proposed development is located on and directly to the Port Talbot Steelworks major hazard site means that in this situation the management of risks to people at the development may be best discharged through the responsibilities on the operator i.e. via the Health and Safety at Work etc. Act 1974 and the Control of Major Accident Hazard (COMAH) Regulations 2015 (e.g. occupied building risk assessments), rather than through a consideration of HSE's land use planning advice for the residual risks of major accidents to development.

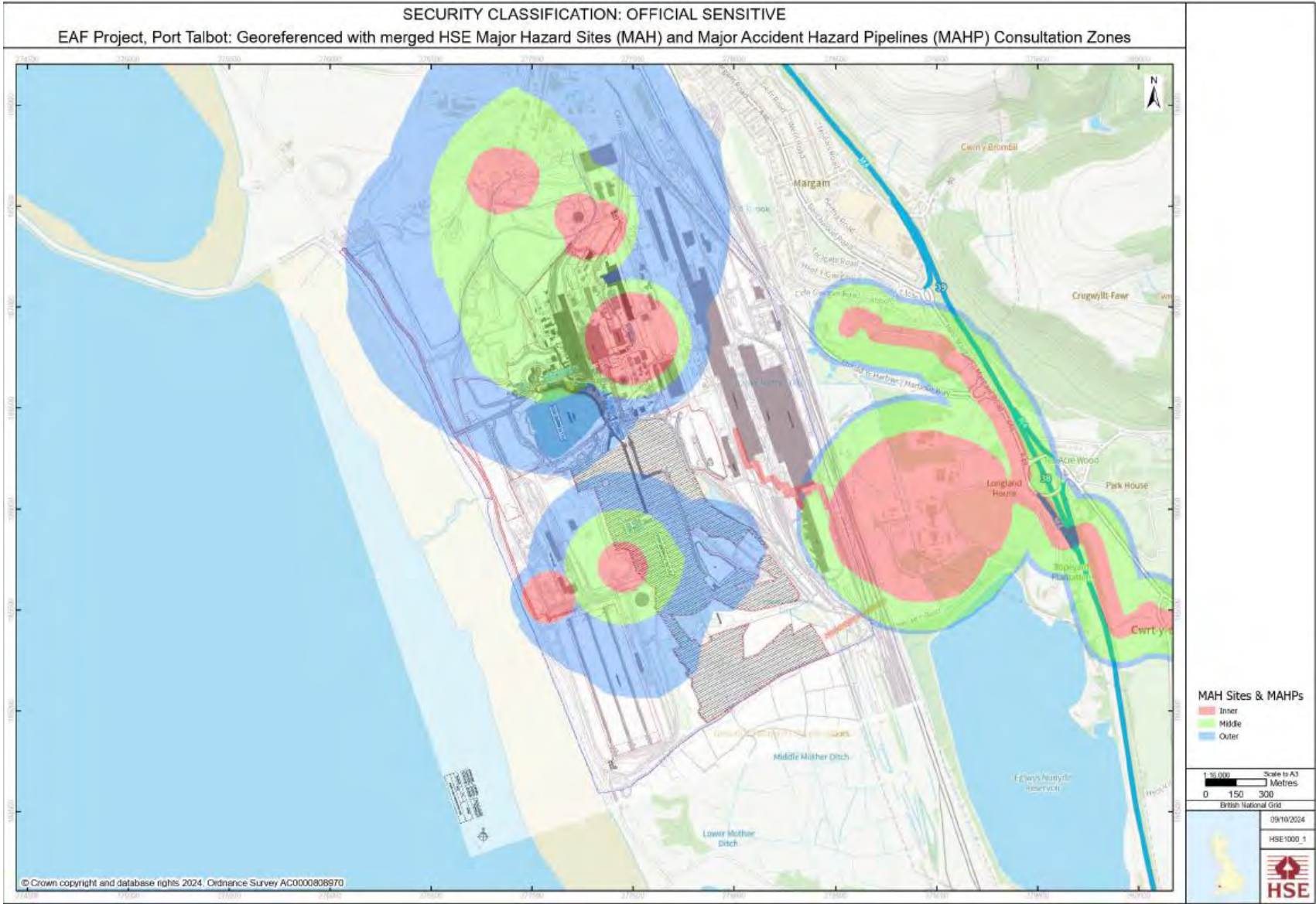
Yours sincerely

**Berdine Clews**  
**Statutory and Commercial Land Use Planning Advice**

## Appendix 1 – Proposed Site Plan



Appendix 2 – Proposed site plan with HSE consultation zones overlaid



**From:** [contact@eafcommunications.com](mailto:contact@eafcommunications.com)  
**To:** [Marley Bennett](#)  
**Subject:** Fwd: Pre Planning - Land at Port Talbot Steelworks  
**Date:** 15 October 2024 15:06:48  
**Attachments:** [image004.png](#)

---



----- Forwarded message -----

From: '**Thomas, Rhodri**' via EAF <[contact@eafcommunications.com](mailto:contact@eafcommunications.com)>  
Date: Tue, 15 Oct 2024 at 14:48  
Subject: Pre Planning - Land at Port Talbot Steelworks  
To: [contact@EAFcommunications.com](mailto:contact@EAFcommunications.com) <[contact@eafcommunications.com](mailto:contact@eafcommunications.com)>  
Cc: LGC\_Development\_Control-South@gov.wales <LGC\_Development\_Control-South@gov.wales>

FAO EAF Communications,

On behalf of Welsh Government Transport,

Pre Planning - Land at Port Talbot Steelworks

Electric Arc Furnace and associated works

I refer to your consultation of 17<sup>th</sup> September 2024 regarding the above pre-planning application. The Welsh Government as highway authority for the M4 motorway would require further information to determine an application for full planning.

The applicant would be requires to provide the following information to support an application;

1. A Construction Traffic Management Plan (TMP). The TMP shall detail the proposals for the movement of construction traffic and shall include the following:
  - a. Construction vehicle routeing plans at 1:2,500 scale for all construction traffic
  - b. Details on the proposed phasing of the works
  - c. Details on the associated signage, proposed to route construction vehicles towards junction 38.

### **General Notes**

1. Any temporary road signing shall be in accordance with Chapter 8 of the Traffic Signs Manual and the Safety at Streetworks and Roadworks Code of Practice
2. The Applicant should be advised that all temporary or permanent signage, road markings or traffic orders shall be at his expense and agreed with the Welsh Government before works commence.

Regards

Rhodri

**Rhodri Thomas BSc. (Hons) GMICE**

Senior Engineer

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



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CF10 4BZ

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**From:** [contact@eafcommunications.com](mailto:contact@eafcommunications.com)  
**To:** [Marley Bennett](#); [Mared Jones](#); [Elise Power](#)  
**Subject:** Fwd: ONR Land Use Planning - Application Port Talbot Steelworks  
**Date:** 20 September 2024 10:58:09  
**Attachments:** [image772250.png](#)  
[image030069.png](#)  
[image413498.png](#)  
[Specialist consultee letter and notice under 1C English and Welsh.pdf](#)

---



Response from ONR on the EAF

----- Forwarded message -----

**From:** 'ONR Land Use Planning' via EAF <[contact@eafcommunications.com](mailto:contact@eafcommunications.com)>  
**Date:** Fri, 20 Sept 2024 at 09:51  
**Subject:** ONR Land Use Planning - Application Port Talbot Steelworks  
**To:** [contact@eafcommunications.com](mailto:contact@eafcommunications.com) <[contact@eafcommunications.com](mailto:contact@eafcommunications.com)>

Dear Sir/Madam,

Thank you for consulting ONR regarding Port Talbot Steelworks.

When consulted on formal planning applications around nuclear sites, ONR will provide advice to Local Planning Authorities (LPAs), where those planning applications meet with ONR's consultation criteria. ONR may also make representations to LPAs when consulted regarding Local Development Plans and Strategies.

The advice that ONR provides is dependent on the specific details of the planning application. Therefore, ONR does not comment on pre-planning applications.

After receiving a request for consultation on a formal planning application ONR would consider the following questions:

- Does the proposed development represent an external hazard to a nuclear installation; and
- Could the proposed development be accommodated within the Local Authority off-site emergency planning arrangements.

If ONR had significant health and safety concerns on either count then it would advise against the development. If ONR was satisfied that the proposed development could be accommodated within the Local Authority off-site emergency planning arrangements and that it posed no external hazard to the installation, then ONR would have no grounds to advise against.

ONR's advice on planning applications is informed by the views of the emergency planners within the relevant Local Authority. You may find it helpful to consult them regarding this proposed development.

Kind regards,

Land Use Planning  
Office for Nuclear Regulation  
[ONR-Land.Use-planning@onr.gov.uk](mailto:ONR-Land.Use-planning@onr.gov.uk)

-----Original Message-----

**From:** Marley Bennett <[marley.bennett@turley.co.uk](mailto:marley.bennett@turley.co.uk)>  
**To:** [onr-land.use-planning@onr.gov.uk](mailto:onr-land.use-planning@onr.gov.uk);  
**Cc:** [andrea.kellegher@turley.co.uk](mailto:andrea.kellegher@turley.co.uk)  
**Sent:** 17/09/2024 15:55  
**Subject:** SCHEDULE 1C - ARTICLE 2D - CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURES) (WALES) ORDER 2012

Good afternoon,

Please find the attached notification of Tata Steel UK Ltd's intention to submit a hybrid planning application to deliver an Electric Arc Furnace and associated works at the Port Talbot Steelworks, which is served on you as a statutory consultee.

Please let me know if you have any questions about the Pre-Application Consultation.

The attached has also been issued to you by post.

Many thanks,

Marley

**Marley Bennett**

Consultant, Strategic Communications

**Turley**

Mobile: +44 7824 848 356

Office: 0117 989 7000

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**From:** [National Planning Function](#)  
**To:** [Marley Bennett](#)  
**Subject:** RE: SCHEDULE 1C - ARTICLE 2D - CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURES) (WALES) ORDER 2012  
**Date:** 18 September 2024 12:51:18  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Dear Marley

Thank you for your pre-application consultation in respect of the Electro Arc Furnace at Port Talbot Steel Works. The Canal & River Trust is potentially a specialist consultee in the mandatory pre-application process. However, this scheme does not meet the criteria for consultation with us as set out in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

We are therefore returning the consultation to you. If for any reason you consider that you require the input of the Trust please let us know.

Should you have any queries please do not hesitate to contact us.

Kind regards

Victoria

[Victoria Johnson](#)

Planning and Data Support Technician

*My working hours are Wednesday, Thursday 8:00-16:30 and Friday 8:00-16:00*

E [planning@canalrivertrust.org.uk](mailto:planning@canalrivertrust.org.uk)

Text Description automatically generated



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**From:** Marley Bennett <marley.bennett@turley.co.uk>  
**Sent:** 17 September 2024 15:51  
**To:** National Planning Function <NationalPlanning.Function@canalrivertrust.org.uk>  
**Cc:** Andrea Kellegher <andrea.kellegher@turley.co.uk>  
**Subject:** SCHEDULE 1C - ARTICLE 2D - CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURES) (WALES) ORDER 2012

You don't often get email from [marley.bennett@turley.co.uk](mailto:marley.bennett@turley.co.uk). [Learn why this is important](#)

Good afternoon,

Please find the attached notification of Tata Steel UK Ltd's intention to submit a hybrid planning application to deliver an Electric Arc Furnace and associated works at the Port Talbot Steelworks, which is served on you as a statutory consultee.

Please let me know if you have any questions about the Pre-Application Consultation.

The attached has also been issued to you by post.

Many thanks,

Marley

**Marley Bennett**  
Consultant, Strategic Communications

**Turley**

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Office: 0117 989 7000

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## Cadw mewn cysylltiad

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Mae Glandŵr Cymru yn gwmni cyfyngedig drwy warant a gofrestrwyd yng Nghymru a Lloegr gyda rhif cwmni 7807276 a rhif elusen gofrestredig 1146792. Swyddfa gofrestredig: National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire CH65 4FW.

## **Appendix 17: Adjoining Owner and Occupier Responses**

Email only [contact@EAFcommunications.com](mailto:contact@EAFcommunications.com)

EAF Tata Steel consultation  
c/o Turley  
Windsor Place  
Cardiff  
CF10 3BY

15 October 2024

Dear Sir/Madam

**Response to Pre-Application Consultation (PAC) on a hybrid planning application for a new Electric Arc Furnace at the Port Talbot steelworks**

I write on behalf of Associated British Ports (ABP) in response to the above PAC at Port Talbot steelworks. ABP is the UK's largest and leading port operator, contributing £7.5 billion to the UK's economy every year and supporting 119,000 jobs. In South Wales, ABP owns and operates five ports, supporting 21,800 jobs and contributing £1.5bn annually to the Welsh economy. This includes our Port at Port Talbot which directly adjoins the Tata Steel UK Ltd's landholdings.

ABP is supportive of the principle of steel making in Port Talbot and therefore the planning application for the new Electric Arc Furnace (EAF). We consider the proposal will complement ABP's forthcoming proposals for the Port of Port Talbot in assisting the Welsh and the UK governments to meet the legally binding national greenhouse gas emissions reduction commitments to achieve net zero by 2050.

ABP continues to engage and work close with Tata Steel UK Ltd in relation to this proposal and their wider ambitions for their interests at Port Talbot. With specific reference to the proposed EAF, ABP will be reviewing the planning application when it is formally made to Neath Port Talbot Council and may provide further response at that time.

Yours faithfully



**Ashley Curnow**

**Divisional Port Manager Wales and South West Ports**

Our Ref: 24422/VW/jc  
Email: vwalsh@firstplan.co.uk

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21 Broadwall info@firstplan.co.uk  
London SE1 9PL firstplan.co.uk

14 October 2024

EAF Tata Steel Consultation  
C/o Turley  
18 Windsor Place  
Cardiff  
CF10 3BY

By Email Only: [contact@EAFcommunications.com](mailto:contact@EAFcommunications.com)

Dear Sir/Madam,

**SCHEDULE 1B PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012; NOTICE TO SUBMIT A HYBRID APPLICATION TO DELIVER AN ELECTRIC ARC FURNACE AND ASSOCIATED WORKS AT THE PORT TALBAT STEELWORKS**

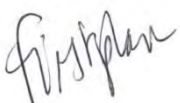
Thank you for providing the requisite notice to DB Cargo (UK) Ltd under Articles 2C and 2D of the above Order, relating to the proposed development at the Port Talbot Steelworks facility. We apologise for the delay in responding to the consultation. Due to on-going building works at DB Cargo's offices there is currently limited access and as a result DB Cargo only became aware of the notice within the last week. DB Cargo has now instructed Firstplan as planning consultants to review the consultation documents as a matter of urgency and respond further as required.

DB Cargo has been consulted as they are a neighbouring landowner to the development. DB Cargo has an interest in and operate from Margam Knuckle Yard Rail Yard comprising both North and South Sidings. Figure 1(attached at Appendix 1 to this letter) provides a plan which indicatively shows the relationship between the proposed application site and the DB Cargo operated sidings.

Margam Knuckle Yard South Sidings comprises a rail marshalling yard including rail wagon repair and maintenance facilities. The North Sidings are currently not in use. Both sites are held by DB Cargo in accordance with a long lease secured from Network Rail until 2119.

At this stage, and from initial review, it is not expected that the proposals will give rise to any significant issues or any issues that cannot be resolved or addressed between Tata and DB Cargo. Indeed, DB Cargo currently support the existing Tata Steelworks site in terms of provision of importation of material by rail and are keen to continue that well established relationship between the respective operations. Nonetheless, it is considered important to review the proposal fully and provide feedback at the pre-submission stage and DB Cargo appreciate opportunity provided to do so. It is confirmed that a further response/comments on behalf of DB Cargo will be issued as quickly as practicable and by **31 October 2024** at the latest.

Yours faithfully,



VILNA WALSH  
Director

**APPENDIX 1**

**Figure 1:** Plan indicatively identifying Tata Application Site in relation to DB Cargo Margam Knuckle Yard.



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29 October 2024

EAF Tata Steel Consultation  
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By Email Only: [contact@EAFcommunications.com](mailto:contact@EAFcommunications.com)

Dear Sir/Madam,

**SCHEDULE 1B PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012; NOTICE TO SUBMIT A HYBRID APPLICATION TO DELIVER AN ELECTRIC ARC FURNACE AND ASSOCIATED WORKS AT THE PORT TALBAT STEELWORKS**

Thank you again for providing the requisite notice to DB Cargo (UK) Ltd under Articles 2C and 2D of the above Order, relating to the proposed development at the Port Talbot Steelworks facility. As mentioned in our original letter of 14 October 2024, we apologise for the delay in responding to the consultation resulting from on-going building works at DB Cargo's offices.

Having now had the opportunity to review the consultation documents in more detail, this letter provides a response on behalf of DB Cargo.

**Proposed Development Summary**

Planning permission is sought for development associated with constructing a new Electric Arc Furnace at the Port Talbot Steelworks.

The formal description of development is stated to be:

*“Hybrid planning application: full planning permission for the demolition of existing buildings and structures, partial infill of the BOS lagoon, and construction of a new electric arc furnace-based steel production facility (1 no. arc furnace, 2 no. ladle furnaces). The development includes an upgraded slag processing facility, chemical/material storage and transfer infrastructure and pipework and cabling (above and below ground), buildings, fume and dust treatment plant, water treatment facility and material handling systems. Electrical control rooms and power infrastructure. Offices and ancillary facilities together with new and amended transport infrastructure, landscaping and green infrastructure, drainage and associated engineering operations.*

*Outline planning permission (with all matters reserved except for access and landscaping) for demolition and the construction of a scrap metal handling facility and associated scrap yards, scrap processing facility, underground and overground electrical infrastructure, and new and amended transport infrastructure, landscape and green infrastructure, drainage and associated engineering operations.”*

It is stated that investment is needed for the site to become a financially, operationally and environmentally sustainable business. European steelmakers are moving away from Blast Furnace steel production and Tata Steel's ambition is to become a CO2 neutral steelmaker by 2045.

In order to achieve this, in September 2023, Tata Steel announced proposals to invest £1.25 billion, including a UK Government grant of up to £500 million, to secure long-term, high-quality steel production at the Port Talbot site, preserving 5,000 jobs and securing steel making in South Wales for generations to come.

The investment will enable the Port Talbot operation to become one of Europe's premier centres for green steelmaking and includes:

- Building a new 3.2 million tonne capacity state-of-the-art electric arc furnace in Port Talbot, the same capacity as the site has now.
- Two new metallurgy ladle furnaces.

The project programme identifies the below key dates:

- November 2024 – Submission of planning and Sustainable Drainage Approval Body (SAB) applications.
- February 2025 – Determination of planning and SAB applications.
- April - June 2025 – Discharge of pre-commencement conditions.
- July 2025 – Lawful commencement of development on site.
- July 2025 Onwards – Discharge of remaining planning conditions.
- Summer 2027 – lawful operation of the development.

#### **Information Submitted for Pre-Submission Consultation**

Information submitted for the pre-submission consultation includes the following:

- Forms, cover letter and Planning Statement
- Design and Access Statement & Sustainability Statement
- Technical Assessments including: Flood risk and drainage, Landscape Strategy, Arboricultural Assessment,
- Habitats Regulations Appropriate Assessment Screening, Coal Mining Risk Assessment and Waste management plan.
- Environmental Statement
- Planning Pack including: Location Plan, Site Plans, Floor Plans, Elevations, Sections and Demolition Plans.

#### **Relationship between Application Site and Margam Knuckle Yard**

Figure 1, produced by Firstplan, comprises a plan identifying the application site boundary in the context of the Margam Knuckle Yard North and South Sidings.

This identifies that the proposed development site is largely contained within the wider existing Port Talbot Steelworks facility. The main exception to this is a small extension to the south of the site into a parcel of undeveloped land comprising fields which does bring the steelworks marginally in closer proximity to the DBC Margam Knuckle Yard South Sidings.

Otherwise, the existing separation between the Steelworks and Margam Knuckle Yard is not significantly altered.

**Figure 1:** Plan indicatively identifying Tata Application Site in relation to DB Cargo Margam Knuckle Yard.



### **Response to Consultation – Overarching Comments**

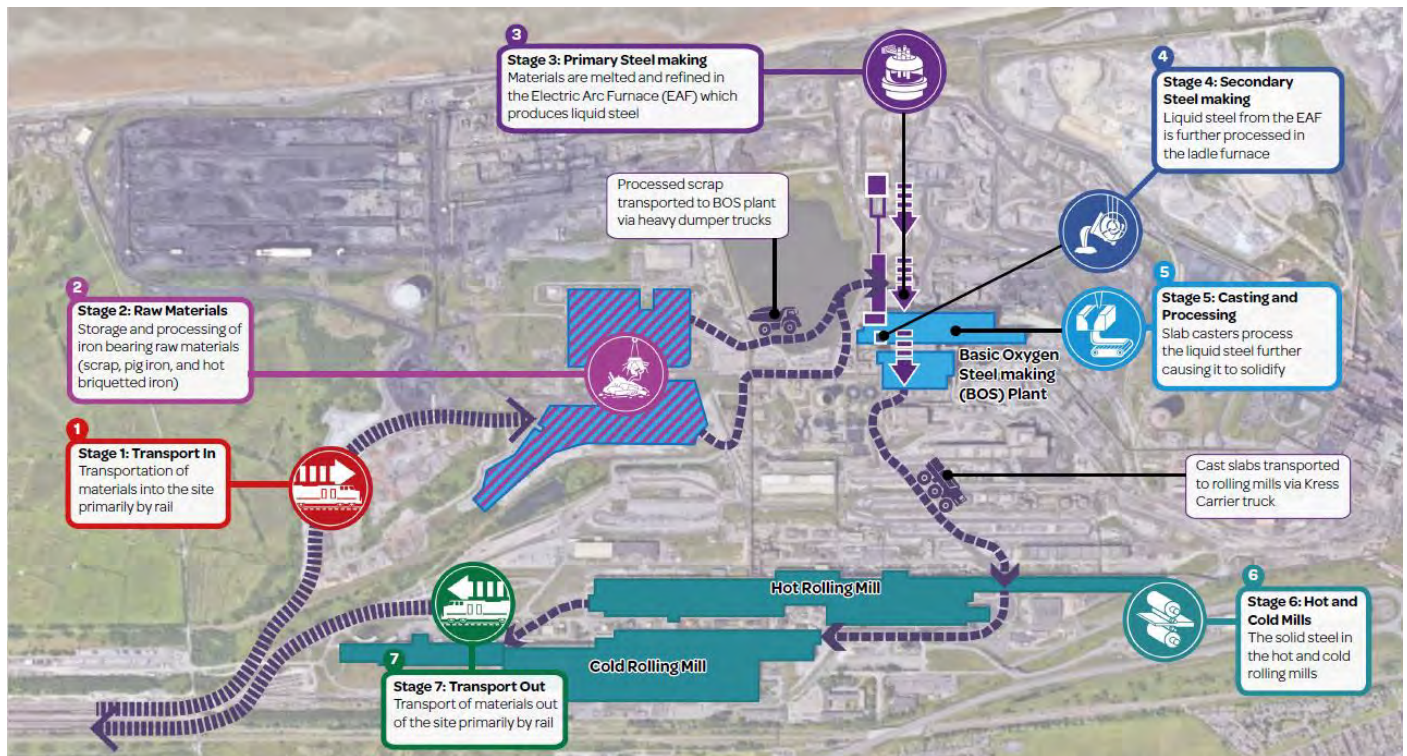
DB Cargo seek to continue the well established relationship between the respective operations. This includes the support that DB Cargo provides Tata Steel in terms of rail haulage services delivering materials from local ports as well as transporting finished products to companies across the UK.

It is noted in the submission documents that the main raw materials for the proposed development are scrap metal, HBI, and pig iron. These materials will be transported to the steelworks mainly via the existing rail network.

The finished products will also be transported from the Steelworks (predominantly by rail) to Tata Steel sites across the UK for further processing or delivered directly to its customers.

Figure 62 of the Design and Access Statement provides a helpful illustration of the process and associated movements from import of materials to export of finished products and provided at Figure 2.

**Figure 2:** Extract of Design and Access Statement Figure 62: 'Process Diagram'.



DB Cargo are pleased to see that the amended operation of the site resulting from the Electric Arc Furnace process seeks to maintain rail delivery of materials and scrap metal to support the operation and that an increase in rail movements is expected.

DB Cargo strongly support the proposals in continuing to promote movement of freight by rail and look forward to continuing to support Tata Steel through this transition to electrically powered furnaces.

## Response to Consultation – Specific Comments

### Rail, Road and Pedestrian Access to Margam Knuckle Yard

Margam Knuckle Yard Rail Sidings are accessed by rail via a connection from the South Wales Mainline. Margam Knuckle Yard can be accessed from the west (Swansea) and east (Cardiff). Sidings also route from Margam Knuckle Yard to the Port Talbot Steelworks directly and provide an important connection to the mainline.

Rail works associated with the development are understood to comprise only the removal of a pinch point where two sidings merge into one and extending the line to create two full length dual sidings serving the site. These works are contained entirely within the wider Port Talbot facility. Importation and exportation of material by rail would be via Margam Knuckle Yard.

Access by road to Margam Knuckle Yard is also available via the Tata Port Talbot site in addition to foot traffic via the foot crossing at Heol y Deliad crossing located at the bottom of Longlands Lane. Sections of Margam Knuckle Yard can therefore be accessed from the Tata Steel Port Talbot site directly.

For the proposed development, road and pedestrian access would utilise existing access points and the internal road network will continue to be utilised. However works are proposed internally to the site relating to the existing road network in order to create new roads, widened roads, service yards and turning areas.

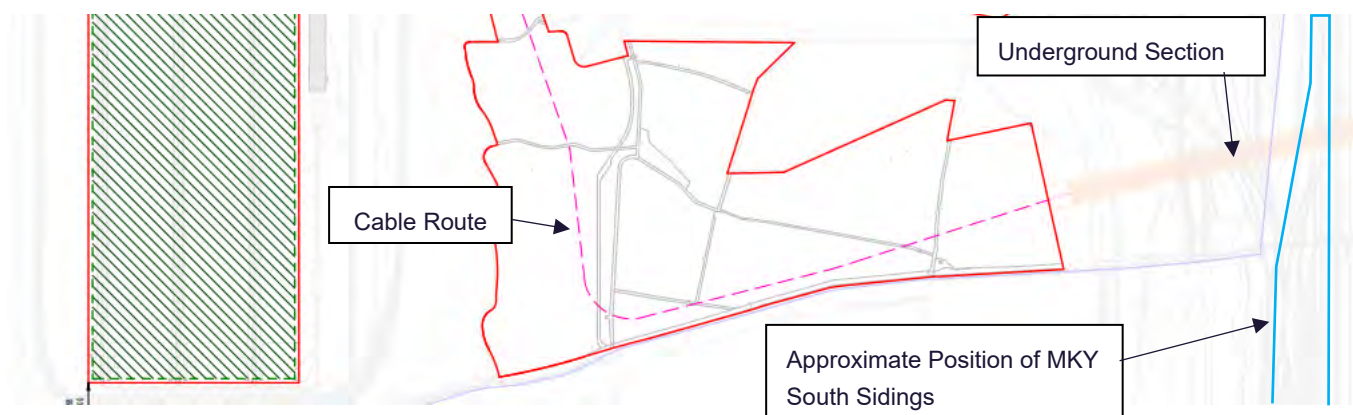
There are routes of access between Margam Knuckle and Port Talbot Steelworks by way of rail, road, foot and cycle modes of transport. It is important that these access routes are not disrupted to ensure site operations in addition to staff and supplier movements can continue to take place.

**It is requested that the forthcoming application proposals, including those that may come forward at a future stage by way of amendments or reserved matters, ensure that access links to Margam Knuckle Yard are not disrupted. This is by way of rail, road and pedestrian / cyclist access routes.**

## Power Cable

Review of the planning drawings provided within the consultation has identified the requirement for a new power cable to be installed to supply the development. The route of the power cable appears to start at the site of a National Grid Compound within the Steelworks and route south of the existing facility, exiting at the south eastern corner of the application site area. The cable then goes underground and continues east beyond land within Tata Steel's ownership and directly underneath Margam Knuckle Yard South Sidings. The route is demonstrated on Figure 3 which comprises an extract of consultation plan 'Proposed Site Plan – Indicative Outline Plan – Phase 1'.

**Figure 3:** Extract of Consultation Plan 'Proposed Site Plan – Indicative Outline Plan – Phase 1' (Ref: A-900010A0P05)



It is identified in the submission documents that National Grid would be undertaking these works including upgrading of Margam Substation and construction of a new electrical substation at Port Talbot Steelworks. The power cable would connect Margam Substation and Port Talbot Substation. It is also noted that National Grid would be responsible for securing planning permission for the cable route beyond the red line of the Tata Steel application site.

DB Cargo do not object to the cable route in principle. It is also acknowledged that the cable route is included in the phase of the development subject to outline permission and would also be subject to a separate application by Network Rail.

DB Cargo do however need to identify that the underground cable and associated tunnel / works do have the potential to disrupt rail operations at Margam South Sidings specifically. There are structural concerns such as the risk of subsidence and operational concerns, with the associated works having the potential to impact on the operation of site for a period of time such as during the course of construction.

It is therefore imperative that these matters are considered in detail and addressed in any future submission given the cable is critical infrastructure for the scheme to proceed.

**Within the submission there is limited information relating to the cable route and therefore the following further information is requested:**

- To confirm the status of discussions with National Grid associated with installation of the cable route and when it is expected that a planning application would come forward for those works.
- Details of the depth and nature of the cable installation beneath and adjacent to Margam Knuckle Yard.
- Details of the method of working to install the cable and full technical construction information including structural assessments.

**DB Cargo would also request to be included or notified of any future discussions associated with designing the cable installation.**

### **Conclusion**

Overall, DB Cargo are supportive of the development proposals and particularly maximising the transportation of goods by rail compared to road.

DB Cargo do however identify areas where further clarification and information is required, and these comprise:

- **Access:** to confirm that the development will not impact on existing access arrangements between Port Talbot Steelworks and Margam Knuckle Yard.
- **Cable Installation:** to further detail the cable installation proposals to ensure any potential impacts to DB Cargo's rail infrastructure is identified and addressed.

DB Cargo would be happy to provide any further information or clarification on any points or issues raised in this response should Tata Steel require. In the meantime, confirmation of receipt of this letter is requested as is notification of any future consultation or application.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Vilna Walsh'.

VILNA WALSH  
Director

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BS1 4QP

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