

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(WALES) ORDER 2012**

**APPROVAL OF FULL AND OUTLINE PLANNING
PERMISSION**

Name and address of the applicant

Tata Steel UK
C/o Agent

Name and address of the agent

Turley Planning
18 Windsor Place
Cardiff
CF10 3BY

DATE REGISTERED: 7 November 2024

APPLICATION NO: P2024/0711

LOCATION: Port Talbot Steelworks, Grange Road, Margam, Neath Port Talbot, SA13 2NG

PROPOSAL:

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 chemical/material storage and transfer infrastructure, 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 roads and rail lines, landscaping and green infrastructure, lighting, hardstanding, CCTV, drainage and associated engineering operations.

Outline planning permission (with all matters reserved except for access and landscaping) for the construction of a scrap metal handling facility and associated scrap yards, scrap processing facility, new substation, underground and overground electrical infrastructure, and new and amended roads and rail lines, landscape and green infrastructure, lighting, hardstanding, CCTV, drainage and associated engineering operations.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Order hereby **GRANTS**

PLANNING PERMISSION for the development as described above to be carried out in accordance with the application and the plans submitted therewith, subject to compliance with the following conditions:

Conditions:-

Hybrid Planning Permission Condition

1. Drawing Ref Proposed Site Plan – Hybrid Application – 900009 – P07 - EAF shows the extent of the land to which the full and outline planning permissions relate. Conditions 2 to 38 have effect in respect of the full planning permission and conditions 39 to 74 with regard to those elements of the development granted outline planning permission.

Reason:

To define the hybrid planning approval.

Timing Condition (Full Permission)

2. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans Condition (Full Permission)

3. The development shall be carried out in accordance with the following approved plans and documents:
 - Proposed Site Plan - Hybrid Planning Application – 900009 – P07 – EAF
 - Proposed Site Plan - Laydown Areas – 900013 – P06 – EAF
 - Site Sections - 063001 - P03 - EAF
 - Proposed Site Levels - 900004 - P00 – EAF
 - Demolition Site Plan - 040001- P03 - EAF
 - Demolition - 1A Scrap Storage Shed - 040002 - P02 - EAF
 - Demolition - 1B Existing Pump House - 040003 - P01 - EAF
 - Demolition - 1C Harsco Baler Plant - 040004 - P01 - EAF
 - Demolition - 1D Weigh Bridge - 040005 - P01 - EAF
 - Demolition - 1E Harsco Frag Plant - 040006 - P01 - EAF
 - Demolition - 1F Electrical Room - 040007 - P01 - EAF
 - Demolition - 1G Mechanical Electrical Workshop - 040008 - P01 - EAF
 - Demolition - 1H RH Penthouse - 040009 - P01 - EAF
 - Demolition - 1I RH Cooling Tower - 040010 - P01 - EAF
 - Demolition - 1J RH Pump House - 040011 - P01 - EAF
 - Demolition - 1K Slag Splashing Compound - 040012 - P01 - EAF
 - Demolition - 1L Storage Shed - 040013 - P01 - EAF
 - Demolition - 1M HAA Coal Rail Unloading Station - 040014 - P01 - EAF
 - Demolition - 1N Coal Conveyor Superstructure - 040015 - P01 - EAF

- Demolition - 1O Inlet Structure - 040016 - P01 - EAF
- Demolition - 1P BF Gas Pipe Rack - 040017 - P01 - EAF
- Demolition - 1Q Compressor House With MCC Room - 040018 - P01 - EAF
- Demolition - 1R Concrete Abutments - 040019 - P01 – EAF
- Unit 01 - Canopy Hood - Proposed GAs – 060001 – P03 - EAF
- Unit 02 - Consteel Conveyor - Proposed GAs - 060001 - P03 - EAF
- Unit 03 - Fume Treatment Plant - Proposed GAs - 060001 - P03 - EAF
- Unit 04 - Shredded Scrap Yard - Proposed GAs - 060001 - P02 - EAF
- Unit 05 - Hot Briquetted Iron Dolo Lime Bunker - Proposed GAs - 060001 - P03 - EAF
- Unit 06 - Ferro Alloys Bunker - Proposed GAs - 060001 - P03 - EAF
- Unit 07 - Fire Water Pump House - Proposed GAs - 060001 - P03 - EAF
- Unit 08 - Primary Pump House - Proposed GAs - 060001 - P04 - EAF
- Unit 09 - Secondary Pump House - Proposed GAs - 060001 - P03 - EAF
- Unit 10 - Melt Shop Power Distribution - Proposed GAs - 060001 - P03 - EAF
- Unit 11 - Melt Shop WTP Electrical - Proposed GAs - 060001 - P03 - EAF
- Unit 12 - Melt Shop FEP Electrical - Proposed GAs - 060001 - P03 - EAF
- Unit 13 - Compressor House - Proposed GAs - 060001 - P03 - EAF
- Unit 14 - Car Parking Area - Proposed GAs - 060001 - P05 - EAF
- Unit 15 - Changing and Office Block - Proposed GAs - 060001 - P04 – EAF
- Landscape Proposals - 1000 to 1015 - Rev06 – EAF
- Landscape Proposals - Site Sections - 1 of 2 - 7000 - Rev06 – EAF
- Landscape Proposals - Site Sections - 2 of 2 - 7001 - Rev06 – EAF
- Proposed Lighting Layout - Full - 900050 - P00 – EAF

- Flood Consequences Assessment (FCA) – Rev E – Dated October 2024 – JBA Consulting
- Outline Drainage Strategy – Rev D – Dated November 2024 – JBA Consulting
- Arboriculture Impact Assessment – Rev 3 – Dated October 2024 - RSK
- Coal Mining Risk Assessment – v.2.0 – Dated September 2024 – Wardell Armstrong
- Waste Management Plan – Dated October 2024 - Turley
- Concept Design Fire Strategy – Rev 03 – Dated August 2024 – Part B
- Green Infrastructure Statement (GIS) – Dated October 2024 – Turley

Reason:

In the interests of clarity.

Pre-Commencement Conditions (Full Permission)

4. Prior to the commencement of works (with the exception of site clearance and demolition of any buildings or structures hereby approved) a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved phasing plan.

Reason:

To allow for the phased construction of the full permission element of the development.

5. Before beginning any development at the site, you must do the following:-

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

6. No development shall commence on that phase of development on site (with the exception of demolition of any buildings or structures hereby approved) until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems, archaeological sites and ancient monuments; and any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

7. Where the assessment approved under condition 6 concludes that remediation is necessary, no development shall commence on that phase of development on site (with the exception of demolition of any buildings or structures hereby approved) until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to sensitive receptors shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the 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, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

8. A detailed Mine Gas Risk Assessment, a report detailing the outcome of the suitable site investigation and lines of evidence risk assessment in accordance with CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions, October 2021' and having regard to current guidance - 'Land Contamination: Risk Management LCRM; 2020 shall be submitted to and approved by the Local Planning Authority. If the Detailed Mine Gas Risk Assessment concludes remediation is required to mitigate the risk, the report shall also include a Remediation Scheme with full details of the design of gas protection measures and a Verification Plan as described in CIRIA C735 -'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases'. The development shall be constructed in accordance with the scheme as approved. (See Notes to developer)

Reason:

In the interests of human health and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

9. Prior to any demolition being undertaken on each phase of the development, a Demolition Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. All demolition works shall be undertaken in accordance with the approved DMS.

Reason:

To ensure that demolition works are undertaken appropriately without unacceptable risks to the environment, workers, neighbours and other off site receptors, and to

ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

10. No development shall commence on a phase approved under condition 4 until a detailed Construction Noise and Vibration Assessment (CNVA), as stated in paragraph 7.4.27 of the Environmental Statement (2024), shall be submitted to and approved in writing by the Local Planning Authority. The CNVA shall include the following details:

Full consideration of the noise impact of the construction activities, including consideration of the final construction programme, phasing and specific plant items to be used in construction.

Identification of construction noise mitigation to be incorporated into the Construction Environmental Management Plan to include consideration of appropriate construction working hours and noise mitigation.

Reason:

In the interests of the amenity of the area as a whole and to ensure the development complies with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

11. No development shall commence on a phase approved under condition 4 (notwithstanding the approved Outline Construction Environmental Management Plan (OCEMP)), until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted CEMP shall include the following information:

- i. Construction methods, the construction materials or techniques to be used; the process for storage and management of plant and materials used in constructing the development. This shall include full details of: the infilling of the BOS lagoon.
- ii. General Site Management: the construction programme including timetable; the approach to site clearance; to include supervision, monitoring and quality parameters, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete batching operations and washing areas) and any watercourse or surface drain.
- iii. Resources Management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, wastewater, and energy use.
- iv. Lighting: Details of external construction lighting. Construction lighting within the site should be placed where there it can suitably illuminate the development site, pedestrian and vehicular access routes to safe levels without instigating visual difficulty to drivers on the internal road networks.
- v. Control of Nuisances: Including timing, duration and frequency of works; Identification of the significant construction and demolition noise & vibration sources - this shall include details to minimise noise and vibration from piling activities (for example acoustic barriers); physical and operational management controls necessary to mitigate noise & vibration emissions; dust & odour control measures and measures to control light spill.

- vi. Traffic Management: details of site deliveries; details for the loading and unloading of plant and materials; details of wheel wash facilities; details for the parking of vehicles of site operatives and visitors. Details of transport arrangements to the construction site if a safe route from the construction car park to the site is not available. The submission of a Construction Traffic Management and Routing Plan. Details of how active travel is promoted and facilitated for construction workers.
- vii. Hours of working on site: including specified hours for deliveries; restrictions to be applied during specific construction and demolition works (including timing, duration and frequency of works). This shall be informed by the detailed construction noise and vibration assessment required by Condition 10.
- viii. Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- ix. Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- x. Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance, mitigation and Precautionary Working Method Statements (PWMS).
- xi. CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.

The approved CEMP shall be implemented throughout each construction phase.

Reason:

In the interests of biodiversity and the amenity of the area as a whole and to ensure the development complies with Policies EN7, TR2 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

12. No development shall commence until a suitably qualified Ecological Clerk of Works has been employed to oversee all of the ecological aspects of the works, as set out within the Environmental Statement (2024). The ECoW duties shall include and not be limited to:

- i. Provide toolbox talks and information to all staff on-site, so staff are aware of the ecological sensitivities within the Site and the legal implications of not complying with agreed working practices;
- ii. Agree and monitor measures designed to minimise damage to retained habitats;
- iii. Undertake pre-construction surveys and advise on ecological issues and working restrictions where required (including undertaking an aquatic habitat walkover of the operational lagoon);
- iv. Complete site-supervision works as required, in relation to sensitive habitats and protected species (including monitoring compliance with agreed PWMS);
- v. Supervision of the initial construction works within the operational lagoon, including any fish rescue; and
- vi. Oversee restoration of working areas following construction.

Reason

To ensure all the ecological aspects and mitigation set out within ES are adhered to and to accord with Policies EN7 and RE1 of the Neath Port Talbot Local Development Plan (2011-2026) and Supplementary Planning Guidance entitled Renewable and Low Carbon Energy dated July 2017.

13. No development shall commence on any phase of development approved under condition 4 until the following has been submitted to and approved in writing by the Local Planning Authority:

- i. A detailed programme of construction air quality monitoring relating to fugitive dust and emissions. The detailed monitoring programme shall include:
 - Methods for data gathering and analysis;
 - Location of monitoring;
 - Timing and duration of monitoring;
 - Appropriate persons and equipment to carry out monitoring;
 - Timing and format for presenting and dissemination of monitoring results including submission to all data relevant databases;
 - Contingency prescriptions that will be carried out in the event of failure to undertake required surveillance; and;
- ii. A detailed construction air quality mitigation plan, relating to fugitive dust and emissions which shall be fully implemented, if on-going monitoring (as required by i. above) identifies anything other than a negligible/ low air quality impact from construction activities;

The monitoring programme and required mitigation shall be carried out in accordance with the approved details, within the agreed timescales for that phase.

Reason:

To ensure that potential construction air quality impacts are appropriately mitigated and to accord with Policy EN 8 of the Neath Port Talbot Local Development Plan (2011-2026).

14. Prior to the commencement of a phase of development as approved by Condition 4, a Material Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The MMP (for that phase) shall outline the procedures and methodologies for the management, reuse, storage, transportation, and disposal of materials (including soils, slag and other excavated material) arising from the development or imported onto site or exported from the site. The development shall be carried out in full accordance with the approved MMP, and all materials shall be managed as detailed within the plan for that construction phase.

Reason:

To ensure the appropriate management of materials generated by the development, minimise waste, and prevent pollution or harm to human health and the environment and to accord with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

15. Prior to the commencement of a phase of development as approved by Condition 4, (with the exception of site clearance and demolition works) a Soils and Peat Management Plan (SPMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in full accordance with the approved SPMP for that phase.

Reason:

To ensure the appropriate management of soils and impacts on peat during construction and prevent pollution in accordance with Policies EN7 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

16. Prior to the commencement of a phase of development as approved by Condition 4, a detailed construction specific Unexploded Ordnance (UXO) Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved UXO risk assessment for that construction phase.

Reason:

To ensure the appropriate management of risk and pollution during construction in accordance with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

17. No development on a phase of development as approved by Condition 4 shall occur, until the applicant/ developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme as approved shall be fully implemented.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, as required by Planning Policy Wales and Policy SP21 of the Neath Port Talbot Local Development Plan (2011-2026).

18. No commencement of construction of the superstructure of any hereby approved buildings or structures shall commence in a construction phase as approved under Condition 4, until a scheme is submitted to and approved in writing for proposals to mitigate the potential risk of coal mining subsidence. The scheme shall include:

- i. The undertaking of an appropriate scheme of intrusive site investigations for any potential shallow coal workings.

Based on the results of the intrusive site investigation referred to in (i) and any identified mitigation and remediation measures to address land instability arising from coal mining legacy, the approved scheme shall be fully implemented in accordance with a schedule of works which will form part of the submitted scheme.

Reason:

In the interest of safety and policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

Action Conditions

19. Prior to the first beneficial use of the hereby approved development, an operational Noise and Vibration Management Plan (ONVMP) shall be submitted to and approved in writing by the Local Planning Authority. The ONVMP shall include full details of the proposed noise and vibration control strategy for the operation of the development, full details of any necessary mitigation measures and details of the complaint's investigation procedures and reporting of findings and any identified necessary mitigation. The development shall be operated in full compliance with the approved ONVMP.

Reason:

To protect the amenity of nearby residential properties and wider locality and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

20. Prior to the first beneficial use of each phase of the hereby approved development, a verification report demonstrating completion of the works set out in the approved remediation strategy for that phase and the effectiveness of the remediation works carried out in accordance with condition 7 shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling 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, if required. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason:

To ensure that risks from land contamination to the 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 off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, all associated works within the affected area must cease and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority, once approval of the document has been received works within the affect area can be resumed in accordance with the approved details. Prior to the first beneficial use of the hereby approved EAF, a verification report which

demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the 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 off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

22. Prior to the first beneficial use of the development and if identified as necessary by condition 20, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

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

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

Reason:

To ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

23. Prior to the commencement of any piling or foundation works in a phase approved by Condition 4, a Piling Risk Assessment (PRA) for that phase shall be submitted to and approved in writing by the Local Planning Authority (LPA). The PRA shall assess the potential risks to human health, groundwater, and the stability of the ground, particularly in relation to any known or suspected contamination on the site.

The assessment shall include:

- i. A detailed review of ground conditions, including existing contamination reports and geotechnical data.

- ii. An evaluation of the potential for the migration of contaminants as a result of piling or other intrusive groundworks.
- iii. Identification of appropriate piling techniques to mitigate risks to human health, controlled waters, and the wider environment and the reasons for proposing this method.
- iv. A strategy for monitoring and mitigating any identified risks during the construction process.

All piling works shall be carried out in each construction phase in accordance with the approved PRA and associated mitigation measures.

Reason:

To ensure that risks to human health and controlled waters from contaminated land and construction activities are adequately managed and in accordance with policy EN8 of the Neath Port Talbot Local Development Plan.

24. Prior to the use or the relocation of any weathered or non-weathered slag material on site required for the construction of the development hereby approved, full details of the proposed purpose, the location and the suitability of the material with specific reference to the water table and ground waters shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

Reason:

To ensure that risks to human health and controlled waters from contamination and construction activities are adequately managed and in accordance with policy EN8 of the Neath Port Talbot Local Development Plan.

25. Prior to the first beneficial use of each associated phase of the development a Verification Report demonstrating that the mine gas protection has been installed in accordance with the scheme as approved under condition 8 and in accordance with CIRIA C735 - 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases', shall be submitted to and approved by the Local Planning Authority.

Reason:

In the interests of human health and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

26. Prior to the installation of any external lighting (excluding all temporary construction lighting) within a phase of construction approved by Condition 4, full details of all external lighting on the site, relevant to that phase (aligning with the detail provided in the proposed lighting layout drawing reference EAF-LAW-X-X-DR-A-900050 Rev P00) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the lighting unit specifications (including details of lighting columns, head units), details of any required mitigation and the predicted lux levels. All external lighting shall then be installed in accordance with the approved details and retained as such thereafter.

Reason:

In the interest of residential amenity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

27. Prior to the installation of soil mounds and gabion basket ecological mitigation within each construction phase approved by Condition 4, full details of their location, design and specifications shall be submitted to and approved in writing by the Local Planning Authority. All soil mounds and basket ecological mitigation shall be installed in accordance with the approved details prior to the first beneficial use of the hereby approved EAF and shall be retained as such thereafter.

Reason:

In the interests of Ecology and in accordance with policies EN6 and EN7 of the Neath Port Talbot Local Development Plan (2011-2026) and Chapter 6 of Planning Policy Wales (Edition 12)

28. Prior to their use on site, full details and if requested samples, of the proposed elevational, roof and hard standing materials shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall be carried out in accordance with the approved material details.

Reason:

In the interests of visual amenity and in accordance with Policy BE1 of the Neath Port Talbot Local Development Plan.

29. Prior to the first beneficial use of the hereby approved Electric Arc Furnace, the Active Travel works shown on drawing C20930/AC/62/63 (dated December 2020, within the approved Planning Statement) shall be fully implemented and shall remain available for public use at all time and shall be retained as such thereafter.

Reason

To contribute to the improvement of the Active Travel Network and in the interest of Highway and pedestrian safety and in accordance with Policy TR2 of the Neath Port Talbot Local Development Plan (2011-2026).

30. Prior to the occupation of the hereby approved permanent changing and office building (as shown on drawing Proposed Site Plan - Hybrid Planning Application - 900009 - P07 - EAF) details of the energy efficiency measures to be implemented within the development (as detailed in the Sustainability Statement and including the provision of air source heat pumps) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include manufacturers details of the air source heat pumps and their siting within the development. The energy efficiency measures detailed shall be fully implemented prior to the occupation of the office building.

Reason:

To secure energy efficiency measures in accordance with Policy RE2 of the Neath Port Talbot Local Development Plan (2011-2026). and Supplementary Planning Guidance entitled Renewable and Low Carbon Energy dated July 2017

Regulatory Conditions (Full Permission)

31. The development shall be carried out in substantial accordance with the principles and mitigation measures as set out within the Environmental Statement (2024) accompanying the hereby approved development.

Reason:

The proposed development is the subject of an Environmental Impact Assessment and due regard must be had to the principle impacts of the development in the preparation of detailed design and the operation of the site. Any material alteration to the proposal may have an impact which has not been assessed by the process. And to accord with Policies of the Neath Port Talbot Local Development Plan (2011-2026).

32. The noise emitted from the development hereby approved (including the development within the outline area defined by condition 1) shall not exceed cumulative rating levels ($L_{Ar,T}$) of 5dB above the interim background sound level $L_{A90,T}$ when measured or predicted at the nearest noise sensitive premises. The measurement and/or prediction of the noise will be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound”

Reason:

To protect the amenity of nearby residential properties and wider locality and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

33. The noise emitted from the development hereby approved (including the development within the outline area defined by condition 1) shall not exceed the established baseline scenario ambient noise level $L_{Aeq,T}$ when measured or predicted at sensitive receptors as identified in the Environmental Statement (2024). The measurement and/or prediction of the noise will be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019 ‘Methods for rating and assessing industrial and commercial sound.’

Reason:

To protect the amenity of nearby residential properties and wider locality and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

34. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network, including that resulting from any increase in the roof area of the building /or impermeable surfaces within the site.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

35. No groundwater shall be discharged into the proposed drainage scheme.

Reason:

To ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

36. For the duration of construction operations on site in association with the hereby approved development, the Construction Directional Signage, when exiting the site, as shown on Drawing Number 'SCP/210638/D01, Rev A – Route Signage Locations' shall be placed in accordance with the plan provided to ensure that vehicle visibility splays are not obstructed. The temporary signage shall be placed adjacent to the footpath and shall not interfere with public passage in accordance with the Highways Act 1980.

Reason:

In the interest of highway and pedestrian Safety and in accordance with policy TR2 and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

37. In the event that any European protected species are identified within the working area during the construction process, works as being present on the site during the construction process, works within the associated area must stop immediately and in any suitable connected habitat (Identified by the ECoW), and the Local Planning Authority must be notified.

Reason:

In the interests of biodiversity and to ensure the development complies with Policies EN7 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

38. The staff/visitor car park shall be constructed in accordance with drawing Unit 14 – Car Parking Area – Proposed GAs (EAF-LAW-14-X-DR-A-060001 Rev P05) and clearly marked out on site, with the provision of all the identified EV charging points as shown, prior to the first beneficial use of the hereby approved associated office building. and shall be retained as such thereafter.

Reason:

In the interest of highway and pedestrian safety and sustainability, and to ensure that the development is served by sufficient parking and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan (2011-2026).

Timing Conditions Outline

39. Prior to the approval of any reserved matters application, a phasing plan for the outline development shall be submitted to and approved in writing by the Local Planning Authority. The hereby approved outline development shall be carried out in accordance with the approved phasing plan.

Reason:

In the interests of clarity.

40. Details of the appearance, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority for each phase of the development as approved under Condition 39, before any development begins on that phase of the development and the development shall be carried out as approved.

Reason:

The application was made for outline planning permission.

41. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

42. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

List of Approved Plans Condition (Outline Permission)

43. The development shall be carried out in accordance with the following approved plans and documents:

- Build Zones and Max Heights - 900200 - P05 – EAF
- Proposed Site Levels - 900004 - P00 – EAF
- Landscape Proposals - 1000 to 1015 - Rev06 – EAF
- Landscape Proposals - Site Sections - 1 of 2 - 7000 - Rev06 – EAF
- Landscape Proposals - Site Sections - 2 of 2 - 7001 - Rev06 – EAF
- Indicative Lighting Layout - Outline - 900051 - P00 – EAF
- Flood Consequences Assessment (FCA) – Rev E – Dated October 2024 – JBA Consulting

- Outline Drainage Strategy – Rev D – Dated November 2024 – JBA Consulting
- Arboriculture Impact Assessment – Rev 3 – Dated October 2024 - RSK
- Coal Mining Risk Assessment – v.2.0 – Dated September 2024 – Wardell Armstrong
- Waste Management Plan – Dated October 2024 - Turley
- Concept Design Fire Strategy – Rev 03 – Dated August 2024 – Part B
- Green Infrastructure Statement (GIS) – Dated October 2024 – Turley

Reason:

In the interests of clarity.

Pre-Commencement Conditions (Outline Permission)

44. Before beginning any development at the site, you must do the following:-

- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
- b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

45. No development shall commence on a phase of development as approved by condition 39 on site until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM)

which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems, archaeological sites and ancient monuments; and any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

46. Where the assessment approved under condition 45 concludes that remediation is necessary, no development shall commence on that phase of development on site (with the exception of demolition of any buildings or structures hereby approved) until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to sensitive receptors shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the 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, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

47. A detailed Mine Gas Risk Assessment, a report detailing the outcome of the suitable site investigation and lines of evidence risk assessment in accordance with CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions, October 2021' and having regard to current guidance - 'Land Contamination: Risk Management LCRM; 2020 shall be submitted to and approved by the Local Planning Authority. If the Detailed Mine Gas Risk Assessment concludes remediation is required to mitigate the risk, the report shall also include a Remediation Scheme with full details of the design of gas protection measures and a Verification Plan as described in CIRIA C735 - 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases'. The development shall be

constructed in strict accordance with the scheme as approved. (See Notes to developer)

Reason:

In the interests of human health and to accord with Policy EN8 of the ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

48. Prior to any demolition being undertaken on each phase of the development, a Demolition Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. All demolition works shall be undertaken in accordance with the approved DMS for that phase.

Reason:

To ensure that demolition works are undertaken appropriately without unacceptable risks to the environment, workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

49. No development shall commence on a phase approved under condition 39 until a detailed Construction Noise and Vibration Assessment (CNVA), as stated in paragraph 7.4.27 of the Environmental Statement (2024), has been submitted to and approved in writing by the Local Planning Authority. The CNVA shall include the following details:

- a. Full consideration of the noise impact of the construction activities, including consideration of the final construction programme, phasing and specific plant items to be used in construction.
- b. Identification of construction noise mitigation to be incorporated into the Construction Environmental Management Plan to include consideration of appropriate construction working hours and noise mitigation.

Reason:

In the interests of the amenity of the area as a whole and to ensure the development complies with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

50. No development shall commence on a phase approved under condition 39 until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted CEMP shall include the following information:

- i. Construction methods: the construction materials or techniques to be used; the process for storage and management of plant and materials used in constructing the development. This shall include full details of: horizontal directional drilling (including the location of drilling pits and management of drilling slurry).
- ii. General Site Management: the construction programme including timetable; the approach to site clearance; details of site construction drainage, containments areas, temporary water treatment/management methods to include supervision, monitoring

and quality parameters, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete batching operations and washing areas) and any watercourse or surface drain.

iii. Resources Management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, wastewater, and energy use.

iv. Lighting: Details of external construction lighting. Construction lighting within the site should be placed where there it can suitably illuminate the development site, pedestrian and vehicular access routes to safe levels without instigating visual difficulty to drivers on the internal road networks.

v. Control of Nuisances: Including timing, duration and frequency of works; Identification of the significant construction and demolition noise & vibration sources - this shall include details to minimise noise and vibration from piling activities (for example acoustic barriers); physical and operational management controls necessary to mitigate noise & vibration emissions; dust & odour control measures and measures to control light spill.

vi. Traffic Management: details of site deliveries; details for the loading and unloading of plant and materials; details of wheel wash facilities; details for the parking of vehicles of site operatives and visitors. Details of transport arrangements to the construction site if a safe route from the construction car park to the site is not available. The submission of a Construction Traffic Management and Routing Plan. Details of how active travel is promoted and facilitated for construction workers.

vii. Hours of working on site: including specified hours for deliveries; restrictions to be applied during construction and demolition works (including timing, duration and frequency of works). This shall be informed by the detailed construction noise and vibration assessment required by Condition 49;

viii. Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

ix. Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

x. Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance, mitigation and Precautionary Working Method Statements (PWMS).

xi. CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.

The approved CEMP shall be implemented throughout each construction phase of the development.

Reason:

In the interests of biodiversity and the amenity of the area as a whole and to ensure the development complies with Policies EN7, TR2 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

51. No development shall commence until a suitably qualified Ecological Clerk of Works has been employed to oversee all of the ecological aspects of the works, as set out within the ES. The ECoW duties shall include but not be limited to:

- i. provide toolbox talks and information to all staff on-site, so staff are aware of the ecological sensitivities within the Site and the legal implications of not complying with agreed working practices;
- ii. agree and monitor measures designed to minimise damage to retained habitats;
- iii. undertake pre-construction surveys and advise on ecological issues and working restrictions where required
- iv. complete site-supervision works as required, in relation to sensitive habitats and protected species (including monitoring compliance with agreed PWMS);
- v. Oversee restoration of working areas following construction.

Reason

To ensure all the ecological aspects and mitigation set out within ES are adhered to and to accord with Policies EN7 and RE1 of the Neath Port Talbot Local Development Plan (2011-2026)

52. No development shall commence on a phase of development approved by Condition 39 until the following has been submitted to and approved in writing by the Local Planning Authority:

- i. A detailed programme of construction air quality monitoring relating to fugitive dust and emissions. The detailed monitoring programme shall include:
 - Methods for data gathering and analysis;
 - Location of monitoring;
 - Timing and duration of monitoring;
 - Appropriate persons and equipment to carry out monitoring;
 - Timing and format for presenting and dissemination of monitoring results including submission to all data relevant databases;
 - Contingency prescriptions that will be carried out in the event of failure to undertake required surveillance; AND
- ii. A detailed construction air quality mitigation plan, related to fugitive dust and emissions, which shall be fully implemented, if on-going monitoring (as required by i. above) identifies anything other than a negligible / low air quality impact from construction activities;

The monitoring programme and required mitigation shall be carried out in accordance with the approved details, within the agreed timescales.

Reason:

To ensure that potential construction air quality impacts are appropriately mitigated and to accord with Policy EN 8 of the Neath Port Talbot Local Development Plan (2011-2026).

53. Prior to the commencement of a phase of development as approved by Condition 39, a Material Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The MMP shall outline the procedures and methodologies for the management, reuse, storage, transportation, and disposal of materials (including soils, slag and other excavated material) arising from the development or imported onto site or exported from the site. The development shall be carried out in full accordance with the approved MMP, and all materials shall be managed as detailed within the plan for that construction phase.

Reason:

To ensure the appropriate management of materials generated by the development, minimise waste, and prevent pollution or harm to human health and the environment and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

54. Prior to the commencement of a phase of development as approved by Condition 39, (with the exception of site clearance and demolition works) a Soils and Peat Management Plan (SPMP) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in full accordance with the approved SPMP.

Reason:

To ensure the appropriate management of soils and impacts on peat during construction and prevent pollution in accordance with Policies EN7 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

55. Prior to the commencement of a phase of development as approved by Condition 39, a detailed construction specific Unexploded Ordnance (UXO) Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved UXO risk assessment for that construction phase.

Reason:

To ensure the appropriate management of risk and pollution during construction in accordance with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

56. No development on a phase of development as approved by Condition 39 shall occur, until the applicant/ developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme as approved shall be fully implemented.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, as required by Planning Policy Wales and Policy SP21 of the Neath Port Talbot Local Development Plan (2011-2026).

57. In support of the submission of the first reserved matters application for each phase of development as defined by Condition 39, full details of a scheme of intrusive site investigation for the mine entries and shall coal workings shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a report of findings arising from the intrusive site investigations including the results of any gas monitoring, and the submission of a layout plan identifying suitable 'no build' zones for the mine entries and the details of remediation works and/or

mitigation measures to address land instability arising from coal mining legacy, as may be necessary, in order to ensure that the site is safe and stable for the development proposed in that phase. The development within that phase shall be carried out in accordance with the approved details.

Reason:

In order to ensure that historic mining activities are appropriately considered, and to accord with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

Action Conditions (Outline)

58. Prior to the first beneficial use of the hereby approved development, an operational Noise and Vibration Management Plan (ONVMP) shall be submitted to and approved in writing by the Local Planning Authority. The ONVMP shall include full details of the proposed noise and vibration control strategy for the operation of the development, full details of any necessary mitigation measures and details of the complaint's investigation procedures and reporting of findings and any identified necessary mitigation. The development shall be operated in full compliance with the approved ONVMP.

Reason:

To protect the amenity of nearby residential properties and wider locality and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

59. Prior to the first beneficial use of each phase of the hereby approved development, a verification report demonstrating completion of the works set out in the approved remediation strategy for that phase and the effectiveness of the remediation works carried out in accordance with condition 46 shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling 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, if required. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason:

To ensure that risks from land contamination to the 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 off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

60. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must

be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the 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 off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

61. Prior to the first beneficial use of the development and if identified as necessary by condition 59, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

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

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

Reason:

To ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

62. Prior to the commencement of any piling or foundation works in a phase approved by Condition 39, a Piling Risk Assessment (PRA) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The PRA shall assess the potential risks to human health, groundwater, and the stability of the ground, particularly in relation to any known or suspected contamination on the site.

The assessment shall include:

- i. A detailed review of ground conditions, including existing contamination reports and geotechnical data.
- ii. An evaluation of the potential for the migration of contaminants as a result of piling or other intrusive groundworks.
- iii. Identification of appropriate piling techniques to mitigate risks to human health, controlled waters, and the wider environment and the reasons for proposing this method.
- iv. A strategy for monitoring and mitigating any identified risks during the construction process.

All piling works shall be carried out in each construction phase in accordance with the approved PRA and associated mitigation measures for that phase.

Reason:

To ensure that risks to human health and controlled waters from contaminated land and construction activities are adequately managed and policy EN8 Neath Port Talbot Local Development Plan (2011-2026).

63. Prior to the use or relocation of any weathered or non weathered slag material on site, full details of the proposed purpose, the location and the suitability of the material with specific reference to the water table and ground waters shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To protect the environment and specifically ground water from pollution and to accord with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

64. Prior to the first beneficial use of each associated phase of the development a Verification Report demonstrating that the mine gas protection has been installed in accordance with the scheme as approved under condition number 47 and in accordance with CIRIA C735 -'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases', shall be submitted to and approved by the Local Planning Authority.

Reason:

In the interests of human health and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

65. Prior to the installation of any external lighting on each phase of development (excluding all temporary construction lighting), full details of all external lighting on that phase of development (aligning with the detail provided in the indicative lighting layout - outline drawing reference EAF-LAW-X-X-DR-A-900051 Rev P00) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the lighting unit specifications (including details of lighting columns, head units), details of any required mitigation and the predicted lux levels. All external lighting on that associated phase of development shall then be installed in accordance with the approved details and shall be retained as such thereafter.

Reason:

In the interest of residential amenity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

66. Prior to the installation of soil mounds and gabion basket ecological mitigation within each construction phase approved by Condition 39, full details of their location, design and specifications shall be submitted to and approved in writing by the Local Planning Authority. All soil mounds and basket ecological mitigation shall be installed in accordance with the approved details prior to the first beneficial use of the hereby approved EAF and shall be retained as such thereafter.

Reason:

In the interests of Ecology and in accordance with policies EN6 and EN7 of the Neath Port Talbot Local Development Plan (2011-2026) and Chapter 6 of Planning Policy Wales (Edition 12)

67. All the trees / hedges shown to be retained within each construction phase of the development as approved by Condition 39, within the Electric Arc Furnace (EAF) Stage 1 and 2 Arboricultural Impact Assessment Report and/or any trees whose canopies overhang the site boundary for that phase of development shall be protected by strong fencing, the location and type of which shall be submitted to and approved in writing by the Local Planning Authority within a detailed Stage 3 arboricultural method statement. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site of that associated phase of development and for the purposes of the implementation of the development, and shall be maintained until all associated equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

Regulatory Conditions (Outline Permission)

68. The development shall be carried out in substantial accordance with the principles and mitigation measures as set out within the Environmental Statement (2024) accompanying the application. Including the mitigation detailed within the Environmental Statement's Environmental Management Plan.

Reason:

The proposed development is the subject of an Environmental Impact Assessment and due regard must be had to the principle impacts of the development in the

preparation of detailed design and the operation of the site. Any material alteration to the proposal may have an impact which has not been assessed by the process. And to accord with Policies of the Neath Port Talbot Local Development Plan (2011-2026)

69. The noise emitted from the development hereby approved (including the development within the full area defined by condition 1) shall not exceed cumulative rating levels ($L_{Ar,Tr}$) of 5dB above the interim background sound level $L_{A90,T}$ when measured or predicted at the nearest noise sensitive premises. The measurement and/or prediction of the noise will be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound.'

Reason:

To protect the amenity of nearby residential properties and wider locality and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

70. The noise emitted from the development hereby approved (including the development within the full area defined by condition 1) shall not exceed established baseline scenario ambient noise level $L_{Aeq,T}$ when measured or predicted at sensitive receptors as identified in the Environmental Statement (2024). The measurement and/or prediction of the noise will be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound.'

Reason:

To protect the amenity of nearby residential properties and wider locality and to accord with Policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

71. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network, including any increase that resulting from any increase in roof area of buildings /or impermeable surfaces within the site.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

72. No groundwater shall be discharged into the proposed drainage scheme.

Reason:

In the interests of pollution prevention and policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).

73. For the duration of construction operations on site in association with the hereby approved development, the Construction Directional Signage, when exiting the site, as shown on Drawing Number 'SCP/210638/D01, Rev A – Route Signage Locations' shall be placed in accordance with the plan provided to ensure that vehicle visibility splays are not obstructed. The temporary signage shall be placed adjacent to the footpath and shall not interfere with public passage in accordance with the Highways Act 1980.

Reason:

In the interests of Highway and pedestrian safety and to accord with policy TR2 of the Neath Port Talbot Local Development Plan (2011-2026).

74. In the event that any European protected species are identified within the working area during the construction process, works as being present on the site during the construction process, works within the associated area must stop immediately and in any suitable connected habitat (Identified by the ECoW), and the Local Planning Authority must be notified.

Reason:

In the interests of biodiversity and to ensure the development complies with Policies EN7 and BE1 of the Neath Port Talbot Local Development Plan (2011-2026).

Informatives:

1 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

2 This permission is subject to an obligation under Section 106 of the Town and Country Planning Act 1990, as amended.

3 Bats often roost in trees, and work on these trees may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a tree in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. Where bats or their roosts are present, no works of felling, lopping or pruning shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. NRW can be contacted at:- Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

4 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. 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 Gravity 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 The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water 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 Welsh Water in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The supporting Environmental Statement (2024) was fully considered and the significant environmental impacts identified taken into account. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016. The recommendation complies with Future Wales - the National Plan 2040, policies 1, 2, 9 and 13 and 28 and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015. It also complies with Local Development Plan policies SP1, SP2, SP3, SP4, SP5, SP11, SP15, SP16, SP18, SP19, SP20, SP21, SC1, I1, EC1, EC3, EC4, EN2, EN3, EN6, EN7, EN8, EN9, EN10, M1, RE2, W1, W3, TR2, BE1 and BE2.

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 07 March 2025

IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: .

(6) Welsh Water Dwr Cymru advise that the planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industry Act 1991.

Please note, in accordance with Construction and Design Management (CDM) Regulations, it is the applicant's responsibility to ensure that any proposed works within their curtilage do not conflict with any underground services and is recommended they review their land registry title deeds for any legal covenants. For Sewers or Watermains that may be present and affected by your proposals, you are advised to contact Dwr Cymru Welsh Water who will be able to explain whether your proposed works will be acceptable as well as any consent required. Prior to commencing works, it is also recommend the applicant review the information and guidance on Building Over Sewers

available on Welsh Water's website at

The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water 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 us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-

(1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below)	Within 6 Months
(2) Householder Appeal see endnote i	Within 12 weeks
(3) Minor Commercial Appeal see endnote i	Within 12 weeks
(4) Listed Building or Conservation Area Consent appeals	Within 6 months
(5) Tree Preservation Order (TPO) Consent	Within 28 days
(6) Advertisement Consent	Within 8 weeks
(7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development	Within 6 months
(8) Hazardous Substances Consent	Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0300 060 4400, or online at <https://planningcasework.service.gov.wales/>.
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land in

accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a **“full statement of case”**). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686820 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

ⁱ Please see the [Town and Country Planning \(Referred Applications and Appeals Procedure\) \(Wales\) Regulations 2017](#) for appeal procedures and for full definitions of:

- *“householder application”* (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- *“householder appeal”* means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- *“minor commercial application”* (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- *“minor commercial appeal”* means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.