SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

APPLICATION NUMBER: P2024/0711	DATE: 07-11-2024

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.

LOCATION:	Port Talbot Steelworks, Grange Road, Margam, Neath Port Talbot, SA13 2NG
APPLICANT:	TATA Steel.
TYPE:	Major Hybrid Full/Outline. EIA Dev.
WARD:	Margam & Taibach.

BACKGROUND

This is an application for development of National strategic importance. It has regional and local socio-economic importance and Neath Port Talbot as a whole. The application requires a decision from the Planning Committee due to this, and in addition a significant major development proposal accompanied by an Environmental Statement (ES).

SITE AND CONTEXT

The site is located within Port Talbot in the Tata Steel industrial area. The site context is shown in Figures 1 and 2.

Figure 1: Site location within the wider steelworks site.

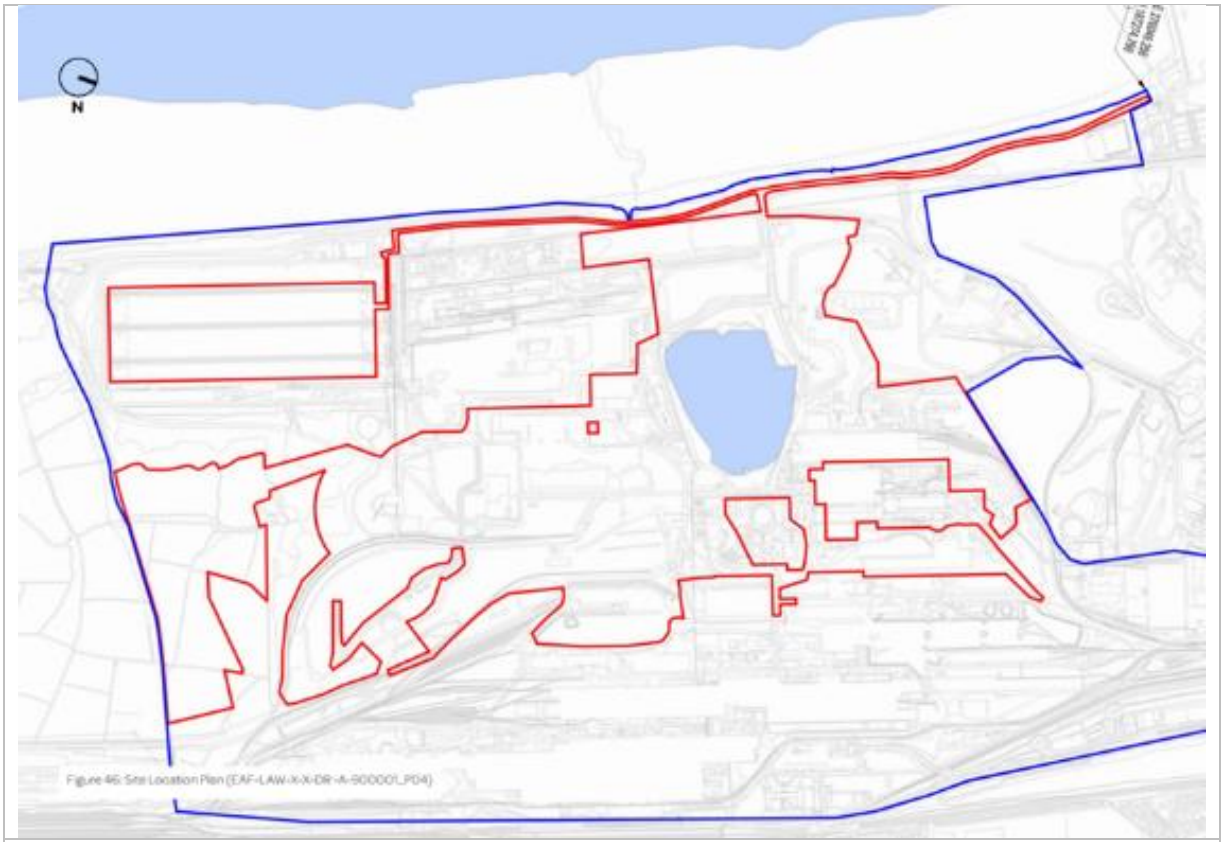

Figure 2: Redline boundary. (Submitted Site Location Plan - 900001-P05-EAF)

The site extends to c.159.6 ha. its boundary irregular in shape and includes the following parts of the existing steelworks:

• A continuous casting plant, slab yards, and part of a basic oxygen steelmaking (BOS) plant in the northern part of the Site.
• An operational lagoon, a steel service centre, and Margam colliery memorial in the central area of the Site.
• A haul road which forms the westernmost boundary.
• Coal yards in the south-western area of the Site.
• Areas of grass meadow to the South.

The south and south west of the existing site contains the rail network, open storage yards, existing scrap processing facilities and associated steelmaking infrastructure.

The Site slopes gradually down in a southeasterly direction. However, there are noticeable changes in elevation across the site. The lowest levels within the planning boundary are in the south-east, at approximately 4.15m AOD. The eastern side of the Site is generally lower than the west, with levels typically remaining below 10m AOD. The west of the Site is shown to have typically higher ground levels. The applicant indicates that this is likely due to existing material and slag storage, and scrap processing. Levels in the south-west of the Site are approximately 14.95m AOD, with the highest levels shown to be in

the north-west of the Site at around 23.06mAOD. The site topography is shown in Figure 3.

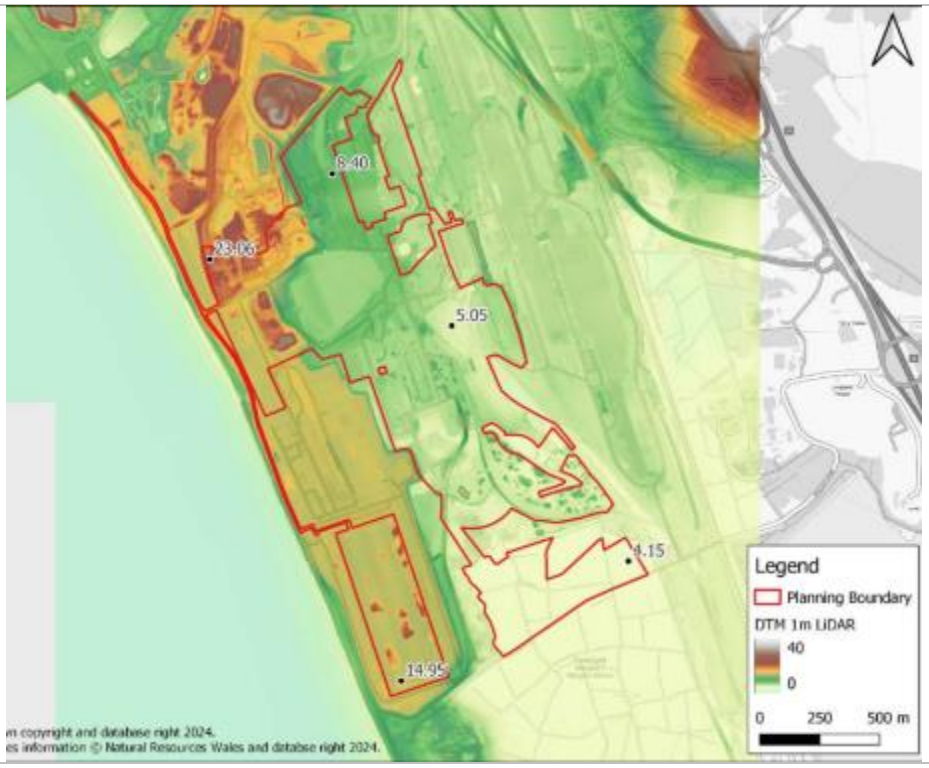

Figure 3: Site topography (ES Figure 9.1)

There are numerous water courses and waterbodies near the site. The Site is located adjacent to Swansea Bay to the west of the Site. There are no NRW Main Rivers within the Site, however there are a number of NRW Main Rivers located within 2 km, including the Afon Cynffig to the south and the Afon Afan and Nantffrwdwyllt to the north. The existing steelworks has abstracted process water from these rivers. The Eglwys Nunydd Reservoir, which is a SSSI, is located southeast of the Site. These water bodies are shown in Figure 4.

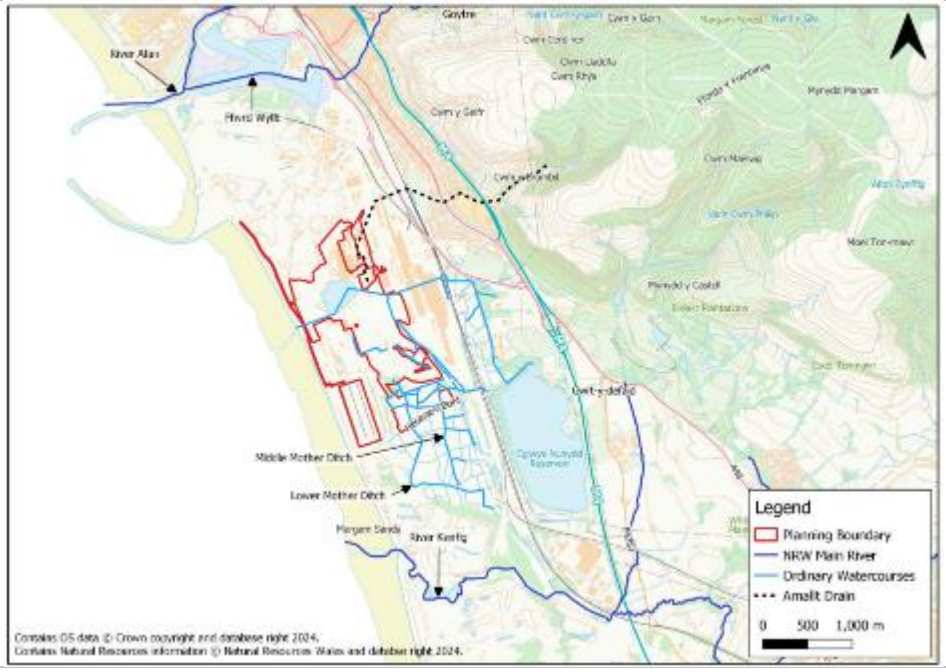

Figure 4: Watercourses and waterbodies in and around the Site (ES Figure 9-2)

The Site is set within the existing steelworks boundary and includes a wide variety of industrial buildings, plant and equipment. The largest building within the application Site is the BOS (Basic Oxygen Steelmaking) plant, which measures approximately 60m in height, over 100m in width and 430m in length – the scale of the building can be seen in Figure 5. A series of smaller industrial buildings of standard steel frame and grey panelled cladding are visible across the steelworks.

Figure 5: View of the Basic Oxygen Steelmaking (BOS) Plant (Photo from Design and Access Statement)

Beyond the large industrial buildings, the Site is predominately bare ground or developed land. There are large areas of made ground, reflecting the established use of the Site as a steelworks. The site also includes open areas

of material and plant storage, industrial buildings, cable and pipe runs and an extensive internal road network.

The northern site boundary runs from the coast road to the access road east of the BOS Plant. Towards the north-west this boundary is characterised by various open storage sites for aggregate. Further east this boundary bisects the BOS Plant building with the parts of building included within the Site boundary intended to house the Electric Arc Furnace (EAF). The eastern most part of this boundary edge features various storage areas for cast steel slabs.

The south east corner of the site abuts an existing railway line and contains a hard-standing area. The boundary wraps around an existing aggregate storage area and coal tip, a couple of additional railway spurs enter the Site from the south. This section of boundary features a series of field parcels which link the Site to existing overhead power lines to the east. These field parcels extend south to Heol Cae'r-Bont, a gravel road and Public Right of Way and include a number of watercourses and hedgerows.

The majority of the western boundary is formed by the coast road which runs along the western side of the steelworks. To the west of this boundary is Margam Sands beach and beyond that lie Swansea Bay and the Bristol Channel.

The eastern boundary is characterised primarily by two large open storage sites for cast steel slabs. Between these storage sites is a large steel shed. There is also a large building adjacent to the northern storage area which abuts the Site boundary. At its most southerly point this boundary wraps around a series of railway sidings and a waterbody called Lower Mother Ditch.

The south-west boundary contains the existing scrapyards which already process scrap steel. A number of small storage yards and industrial buildings are contained within this area. This section of the boundary also includes the coke ovens which are in the process of being decommissioned (but not removed/demolished). This boundary terminates at the coast road to the west.

Two areas are surrounded by the Site but are outside of the boundary. The larger of these areas features a complex of structures including a cooling tower water treatment plant and water towers. The southern-most internal area contains a storage yard and hardstanding.

DESCRIPTION OF DEVELOPMENT

Chapter two of the Environmental Statement contains a detailed 30 page specification for the development proposed. Additionally the design aspects of the proposal are explained in detail within the statutory Design and Access Statement and also the supporting Planning Statement.

This section of the report is a summary of the main aspects of the development proposed as set out in the Environmental Statement and other supporting information.

The proposal is for a hybrid planning permission for the development. A hybrid planning application is one that seeks outline permission for one part of the development and full permission for the remainder of the site. The applicant has outlined that there is currently uncertainty regarding the detail of the scrap handling element of the scheme and the national grid electrical connection that requires that these elements are dealt with in outline as the detail has not yet been finalised. This approach has been agreed with the applicant prior to the submission of the application, and it is noted that the acceptance of a hybrid application is at the discretion of the Local Planning Authority. In this case it is considered that this approach is reasonable in the circumstances of the proposal. The Environmental Impact Assessment for the development scheme has accordingly been carried out based on a reasonable worst case scenario reflecting the uncertainty regarding the outline element.

The areas subject to the application for full planning permission are shown in the green hatching in Figure 6 and the remainder of the site is subject to outline permission. The applicant is seeking approval of detail of the landscaping and access for the outline element of the proposal.

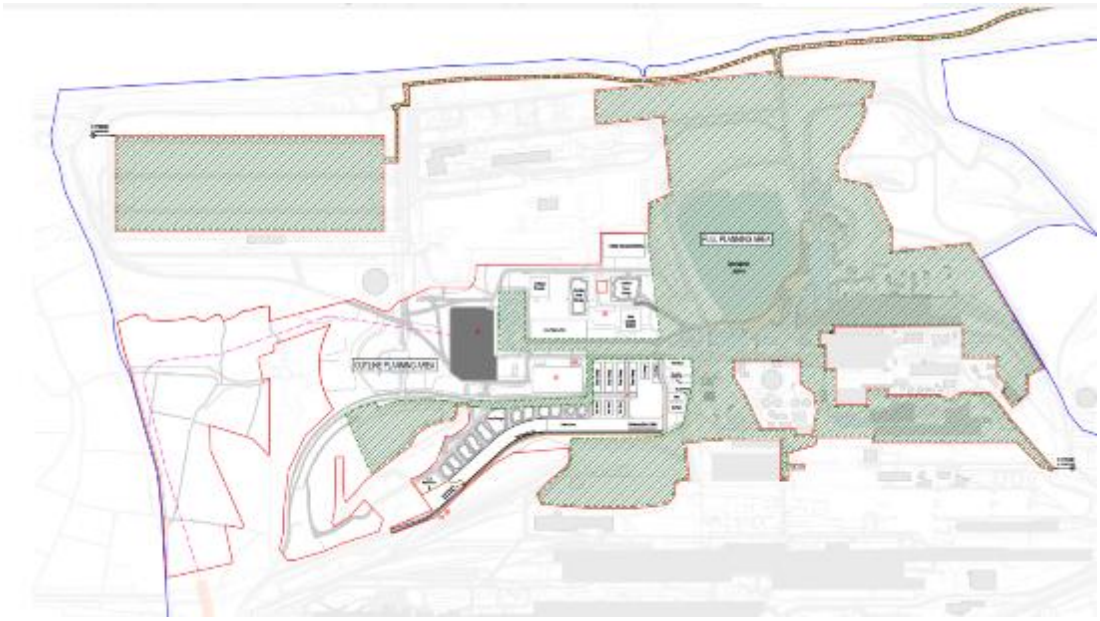

Figure 6: Proposed site plan (showing indicative outline phase 1) (Drawing 900010A-PO6-EAF) (Green hatched area is extent of full permission, remainder of site is for outline permission)

The “Full” planning permission element seeks 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. electric 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.

The element where outline planning permission (with all matters reserved except for access and landscaping) is sought is 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.

The hybrid nature of the proposal is reflected in the officer's recommendation and specific sets for conditions that are required to regulate the development for both the full and outline elements of the application.

The applicant's objectives and consideration of alternatives

The Environmental Statement (ES) at 2.2.1 sets out the following objectives of the development:

- To ensure the continuity of the steel industry in Port Talbot, and Wales, by creating a financially and environmentally sustainable business; and,

- To support the decarbonisation needs of the industry and UK Government commitments to reduce CO2 emissions to near zero by 2035 and to net zero by 2050 respectively.

As required by the Environmental Impact Assessment (EIA) Regulations the applicant considered a series of options in respect to these objectives. These are set out in ES Chapter 3: Environmental Context and Alternatives. The applicant considered alternatives and focussed on the following:

- 'Do nothing' scenario;
- Alternative sites;
- Alternative designs; and
- Alternative technologies.

In respect to a 'Do Nothing' scenario the ES at 3.2.3 sets out that within information released publicly by the Applicant that since 2007 it has lost £4 billion at Port Talbot and this position has deteriorated further since 2023 due to the increase in energy costs and ageing assets within the site which are expensive to maintain and operate.

The Applicant has indicated publicly that these losses are not sustainable and therefore an alternative business model and significant new investment is required to support the continuation of the UK business. They have set out that generating significant new investment in maintaining the status quo at a facility which currently emits approximately 20% and 2% respectively of Welsh and UK national emissions (in 2020) would be very challenging in a net zero-led policy

environment, and where public and consumer pressure is increasingly focused on clean and sustainable products. The applicant has already closed the “Heavy End” (made up primarily of the two blast furnaces, the Sinter Plant and the Coke Ovens and associated infrastructure) of the wider steelworks site in September 2024.

The applicant sets out their consideration of alternative sites in 3.2.9 of the ES. The applicant does have seven other manufacturing sites in the UK, however Port Talbot is the only integrated site with all of the main processes required for primary steel making in place in the same location. The ES sets out that an alternative location would have a significantly higher development footprint and would be uneconomic. These are not the only factors taken into consideration and seven key considerations in the site selection process are set out at 3.2.12 of the ES.

The applicant sets out their consideration of alternative designs in paragraph 3.2.13 of the ES. The applicant sets out a previous scheme, which was to develop land further to the South of the current proposals focussed on previously developed land at the Southern end of the steelworks complex and extending into greenfield land to the north of Longland Lane. This was originally to facilitate a phased transition from the existing steelmaking processes to the EAF, with existing ‘heavy end’ processes (the coke ovens and blast furnaces primarily) continuing whilst the EAF was being constructed and commissioned. Production would then have subsequently transitioned to the EAF through a phased closure of the ‘heavy end’. The applicant has stated that there are likely to be fewer adverse environmental effects from this current proposal. These include a significant reduction in the requirement for greenfield land, greater integration with the existing built form and operations within the steelworks, increased distance from the Public Right of Way at Longland Lane reducing visual impact, better integration into access routes and other site infrastructure, allowing greater re-use of existing facilities including the casters, hot and cold rolling mills. The layout of the scheme has taken into account the availability of land and the desire to re-use and re-purpose existing brownfield land and assets as far as possible.

The applicant has also considered alternative technologies this included consideration of Blast furnace & carbon capture, use and storage (CCUS) and H2 direct reduced iron (DRI) & electric arc furnaces (EAF). These alternatives are given appropriate consideration in the ES Chapter 3 (3.2.20 – 3.2.27). It sets out that compared to alternative technology, EAF technology is already well established at an industrial scale to meet the demands of the site. Additionally, EAF is compatible with green DRI, so there is the potential to develop the site further in the future. In the short term, not all steel grades are proven using EAF, with work ongoing to mitigate any potential impacts. However, it should be noted that the Steelworks in Port Talbot has historically not made all grades of steel on site.

The applicant sets out at ES paragraph 3.2.28 that *“In summary, EAF presents the most appropriate solution for the continued use of the Port Talbot site in comparison to the alternative options. Focusing on recycling steel, of which the*

UK has a large surplus (8 million tonnes exported every year, which is more than any other country in the world), and ultra-low emissions if the electricity supplied to EAF comes from renewable sources."

In accordance with the EIA Regulations the application is supported by an assessment of the alternative approaches to the development. The arguments put forward have been discussed in detail with the applicant throughout the pre-application process and detailed within the submitted ES. It is considered that information submitted in support of the application has sufficiently justified the EAF approach as the most appropriate alternative as set out in this application.

The EAF within the existing operational steelworks and transition to EAF steelmaking

The proposal is the largest and initial element of an overall £1.25bn investment in the Port Talbot Steelworks which is summarised in figure 7 taken from the applicant's Design and Access Statement:

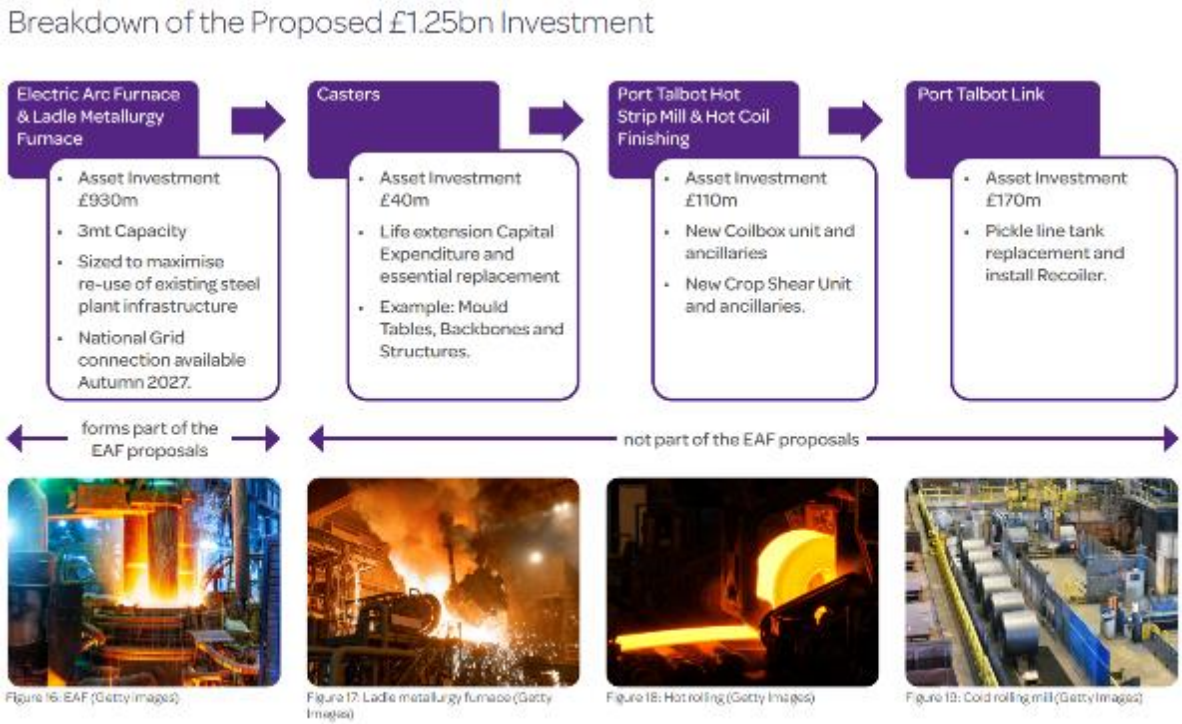

Figure 7: breakdown of the proposed investment (Design and Access Statement)

The proposed development (except for parts of the grid connection and ecological mitigation) is within the boundary of the existing steelworks. The proposal would see the established blast furnace steel making process that has occurred at the site for more than sixty years replaced with an EAF process.

The planning application boundary includes the following parts of the existing steelworks:

- The continuous casting plant, slab yards and part of the basic oxygen steelmaking (BOS plant),

- Operational works lagoon, steel service centre and Margam colliery memorial,

- Haul roads and railway tracks,

- Coal yards,

- Open storage yards, scrap processing facilities and other steel-making and processing infrastructure.

The proposal will result in the creation of significant new infrastructure, the applicant sets out that these should be viewed as the replacement/renewal of the existing elements of the steelworks. This new infrastructure will support the transition of the steelworks to greener steelmaking, while supporting the continued use of the remaining facilities on site, such as the hot and cold rolling mills.

The 'heavy end' of the steelworks comprises the existing stockyard, sinter plant, coke ovens, blast furnaces and steel converter. The majority of these elements are outside of the current planning application boundary. As stated the Applicant has already closed the heavy end in 2024 and is in the process of decommissioning this part of the site.

The ES sets out at 2.3.5 that "It is the Applicant's current intention that the existing hot and cold rolling mills at the steelworks (not within the application boundary) will remain operational during the interim period between 'heavy end' closure and EAF operation, focused on secondary processing of products sourced from other Tata Steel UK Limited (Tata Steel) locations. The cold rolling mill will require upgrade prior to EAF operation, any planning related requirements of this upgrade will be dealt with outside of the current application. There is likely to be a period of shutdown for the cold mill prior to EAF operation whilst these improvements are undertaken. The continuous annealing processing line (CAPL) is also outside the planning application boundary for the Proposed Development and is proposed to close in 2025."

The applicant's note the "P-Fields" development which has recently been granted full planning permission was for the creation of an extensive area of hardstanding which it is intended to use for laydown areas for the decommissioning and planned works to the rolling mills. This is within the application site and in the longer term is intended to be used as a scrap handling area (located within the outline element of this application).

The steelworks is already subject to extensive regulation, these include:

- Environmental Permitting, issued and monitored by Natural Resources Wales (NRW);

- Control of Major Accident and Hazards (COMAH), including Hazardous
- Substances Consents under the Health and Safety Executive (HSE);

- Greenhouse Gas Emissions Permitting; and

- Sustainable Drainage Approval.

Environmental Impact Assessment (EIA) Methodology

Chapter 4 of the ES sets out the methodology used in carrying out the Environmental Impact Assessment in detail, providing details of the EIA requirement and scope. The Proposed Development falls within Part 4 of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (the EIA Regulations), comprising 'production and processing of metals' over 1,000 square metres of new floorspace. The applicant elected to submit an Environmental Statement (ES) with the Planning Application without prior EIA screening. The applicant provided scoping consultation notes at the pre-application stage and detailed pre-application consultation has been undertaken with the Local Planning Authority regarding the applicant's approach to the EIA over many months.

The Baseline Environment

The EIA Regulations require an ES to provide "A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge" (Paragraph 3 of Schedule 4).

Chapter 4 of the ES sets out the approach to assessing the baseline environment. The applicant discussed with the Authority the approach to establishing the baseline environment during informal scoping discussions. These discussions considered the changing industrial environment in which the EIA was being carried out in. This established appropriate study areas for the various ES topics. It also established two baseline scenarios which are described as follows in table 4.1 of the ES:

Baseline Scenario	Description
Established baseline	The steelworks with 'heavy end' as operating in early 2024 and for the majority of the preceding 50+ years
Interim baseline	The steelworks as they will operate at the time of planning determination with closure of the 'heavy end'

The 'heavy end' is defined as the existing stockyard, sinter plant, coke ovens, blast furnaces and steel converter. Closure of the coke ovens took place in March 2024, with the closure of the remainder of the 'heavy end' taking place between May – September 2024. The ES outlines that these closures would happen regardless of the EAF development, but the applicant is seeking to

replace the ‘heavy end’ processes with alternative greener and more economic methods of steel manufacture. The land comprising the heavy end is excluded from this application and it does not include any proposals to demolish these buildings and structures. The application states that the extent of works at this time is to make all the heavy end structures, buildings, plant and machinery safe. The ES (4.2.12) states that: “The regeneration of the ‘heavy end’ will be subject to separate commercial and/or planning processes, at the appropriate time.”

The ES (4.2.13) sets out that:

“The ‘established baseline’ remains a relevant reference point to the ES because:

- *It is the situation that has occurred in Port Talbot for the majority of the past 50+ years;*

- *It has strongly influenced the ‘current state of the environment’ at the Site;*

- *It is the prevailing position at the time that the majority of baseline surveys for the current ES were completed; and*

- *It is the position reflected in the Environmental Permit issued by NRW, under which the Site currently operates. It is not intended to vary the permit prior to the planning application.”*

The ES further sets out that the ‘interim baseline’ requires consideration because the closure of the ‘heavy end’. These baselines are compared to a ‘future baseline’ this is required to take into account foreseeable future changes to environmental factors, due to, for example, climate change. During pre-application discussions the fact that the heavy end remained, was not being removed and did not form part of this current application was discussed with the applicant. A particular concern was the potential for the use of the heavy end assets in future and the impact that this would have on the future baseline used in the assessment of environmental effects. The applicants has addressed this concern by submitting a Unilateral Undertaking under s106 of the Town and Country Planning Act 1990 (UU) to secure that these assets are not recommissioned thus ensuring that the future baseline assessment is suitable. At the time of writing this report a draft UU has been submitted to the Authority for review by our legal officers.

Each technical chapter of the ES takes into account the construction and operation of the development. Construction is considered a proxy of the potential impacts considered likely to arise during any future decommissioning stage. The applicant notes that the permission being sought by this application is not temporary and therefore time limited, with decommissioning not anticipated until many years in the future.

Overview of the Proposed Development

A general overview of the EAF process is shown in Figure 8. This includes both the proposed application and existing elements of the steelworks outside the site of development.

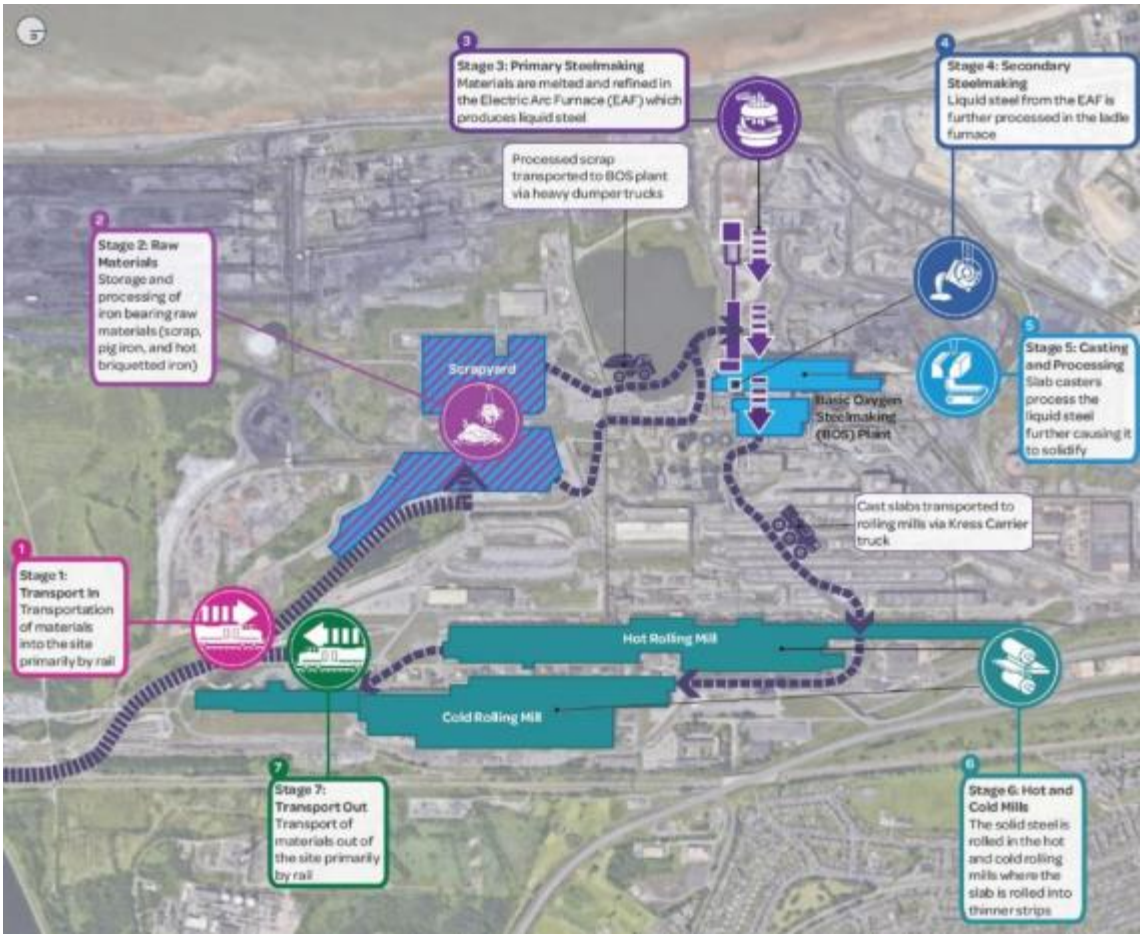

Figure 8: EAF Process diagram in Port Talbot (Planning Statement Figure 6.1)

Components of the Proposed Development are summarised as follows:

Full planning element:

- Alterations to existing Basic Oxygen Steelmaking (BOS) and secondary refining building (collectively comprising 'the EAF');
- Water cooling systems and water treatment plant (including emergency backup power up systems and diesel back-up generator rooms);
- Fume and dust extraction systems with stacks;
- Lime handling facility;
- Storage areas/buildings with material handling system;
- Ancillary plant equipment and pipework;
- Electrical control rooms with cable carrier systems;
- Preparation and storage areas;
- Compressor rooms;

- Offices and ancillary facilities;
- Partial infill of the BOS lagoon;
- New and amended rail track and associated infrastructure;
- New and amended roads with gates and parking areas;
- Landscaping and green infrastructure;
- Firefighting pump house;
- Oxygen and argon vessels;
- Upgraded laboratories,
- Lighting,
- Drainage
- Hardstanding,
- CCTV.

• Outline planning elements:

- Scrap metal reception, handling and processing facilities and associated scrap yards;
- New substation and underground and overground electrical infrastructure;
- New and amended access roads and parking areas;
- New and amended rail track and associated infrastructure;
- Lighting;
- Drainage;
- Hardstanding; and
- CCTV.

The outline planning elements of the Proposed Development have been assessed on the basis of minimum/maximum parameters which are illustrated on a parameter plan. Built infrastructure heights vary across the outline planning area of the application, up to a maximum parameter of 20m above ground level.

EAF inputs and outputs are summarised in Table 1 (table 2.2 of the ES) which is provided below:

Inputs	Form / State and Estimated Quantum (per annum)	Notes
Raw Materials (70% scrap, 20% pig iron, 10% hot briquetted iron)		
Ferrous scrap metals	2,479,300 tonnes per annum (tpa)	Main raw material input, sourced predominantly from the UK via rail. The established baseline is ~200,000 tonnes per annum via the road network.
Pig iron	700,800 tpa	Required in order to achieve a full portfolio of products, likely to be imported by ship and

Inputs	Form / State and Estimated Quantum (per annum)	Notes
		rail. Whilst pig iron is used in the established baseline, it is a product of blast furnace operation so there is no need to import from elsewhere.
Hot Briquetted Iron (HBI)	354,200 tpa	Required in order to achieve a full portfolio of products. Anticipated to be brought into site by rail.
Ferro-alloys	36,000 tpa	Required in order to achieve correct steel chemistry for a specific product.
Calcined Dolomite (dolime or dololime)	62,900 tpa	Used in order to create the EAF slag layer to remove impurities. Not required on the Established Baseline (though other equivalent materials are)
Calcined Limestone (Quick Lime or Burnt Lime)	46,600 tpa	Used in order to create the EAF slag layer to remove impurities.
Carbon Injection	39,500 tpa	Used to reduce iron oxides in the furnaces to metallic iron.
Other Inputs		
Abstracted Water	13,500,000 m3 per annum	Extracted from the River Afan and Point B, which is a mix of River Kenfig, Castle Stream and Lower Mother Ditch. The established baseline for water use is 42,500,000 m3 per annum.
Mains Gas	16,800 nm3/hr (97,000 tpa)	Approx. 3,400 nm3/hr would be required for the EAF operation, with the remainder for the operation of the rest of the plant. The established baseline

Inputs	Form / State and Estimated Quantum (per annum)	Notes
		uses an average of 20,300 nm3/hour.
Oxygen	14,800 nm3/hr	Used predominantly to control metallurgy within the EAF. Established baseline use is ~45,200 nm3/hr.
Argon	85 nm3/hr	The argon is used in the ladle furnace to achieve a non-reactive environment. The established baseline does not utilise argon.
Hydrogen	114 nm3/hr	The established baseline is 539 nm3/hr. It should be noted that the hydrogen is predominantly required in the rolling mills and not the EAF meltshop.
Nitrogen	3,400 nm3/hr	The established baseline is 19,700 nm3/hr. Nitrogen is used for purging and creating a non-reactive atmosphere.
Outputs		
Molten Steel	3.2 million tonnes per annum	Key output of the electric arc furnace, which is refined in the Ladle furnaces and then cast into steel slab before processing in the hot or Cold Rolling Mills.
Waste and By-products		
Dust and fume extraction plant (red dust)	83,000 tpa	Produced from primary and secondary fume extraction in the EAF plant. To be recycled in an external facility in order to recover zinc and iron components.
EAF Slag	255,000 tpa	Produced from the furnaces to remove impurities in the steel.

Inputs	Form / State and Estimated Quantum (per annum)	Notes
		Predominantly used as an aggregate in asphalt, but there are other recycling opportunities in the construction industry.
Refractory Bricks	3,000 tpa	These line the furnace vessels and are partially worn away due to the conditions. The majority can be sent for recycling or regeneration but some may be required to be disposed of via the on-site landfill.
Foreign Materials in Scrap	Phase 1 : 0 tonnes per Annum Phase 2 : 220,000 tonnes per annum Light Fraction 88,000 tonnes per annum Heavy Fraction	In Phase 1 all scrap would be furnace ready and any contaminated scrap would be rejected. In Phase 2 scrap would be shredded on site and generate a light fraction, which would be processed off-site to recover, plastics, glass, textiles and metals. The heavy fraction would be processed on-site. Of the 88,000 tonnes, it is predicted that 25,000 tonnes would potentially require landfilling and the remainder is ferrous and non-ferrous metal that can be recycled.
Trade Effluent	~1,000 m3/hr	This volume includes the operational mills and new EAF facility. The EAF uses water predominantly for cooling and much is evaporated. The established baseline is ~2,000 m3/hr

Inputs	Form / State and Estimated Quantum (per annum)	Notes
Other materials		
Water treatment chemicals	Not available	Predominantly Sodium Hypochlorite used for dosing cooling towers but also flocculants for use in the water treatment plant. Requirement has reduced from the established baseline as the discharge volume has reduced and the requirement for cooling across site.
Fuels and lubricating oils	Not available	Similar to the existing facility there is a requirement for lubricating oils, mainly in the rolling mills and diesel for refuelling on site vehicles. It should be noted that the number of vehicle movements has reduced significantly, and fuel requirement is lower, whereas the lubricating oils for rolling and products will be similar to the established baseline.

Table 1: EAF inputs and outputs (Table 2.2 of the ES)

The forgoing table provides a summary of the main inputs and outputs to EAF steelmaking. The new or increased inputs such as scrap metal, pig iron and Hot Briquette Iron (HBI) effectively substitute materials used in the established baseline, principally coal and iron ore. Similarly, dolime and calcined limestone substitute the use of quick lime in the established process. The overall quantities of raw material input are expected to be similar between the established and EAF scenarios. Non-electrical utility usage is expected to be much reduced for EAF steelmaking with the required quantities of natural gas, process water and oxygen, hydrogen and nitrogen all substantially reduced.

The quantity of steel produced, together with the level of waste and by-products is expected to be similar to that of the established baseline. A Waste Management Plan is provided as part of the planning application documents.

The EAF will operate 24 hours a day, 7 days a week, with two 12 hour shift patterns per day. Office based staff would work up to 8 hours a day between 7.30am to 6pm. This is similar to the existing shift patterns used in the established baseline.

Components of the EAF

Inclusive of both the full and outline areas of the site the following are the main elements identified in the ES (paragraph 2.6.3):

- New and upgraded transport infrastructure.
- Scrap and raw materials importation, handling and processing facilities.
- The installation of the EAF, within the existing BOS plant building, together with the necessary modifications to this building.
- Installation of associated plant and equipment to support the operation of the EAF.
- Car parking and office facilities.
- Electrical connection to the National Grid's transmission network within the Site boundary. Onwards connection beyond the Site boundary is the responsibility of National Grid with separate planning permission being necessary.

The EAF steelmaking process is described in Figure 9.

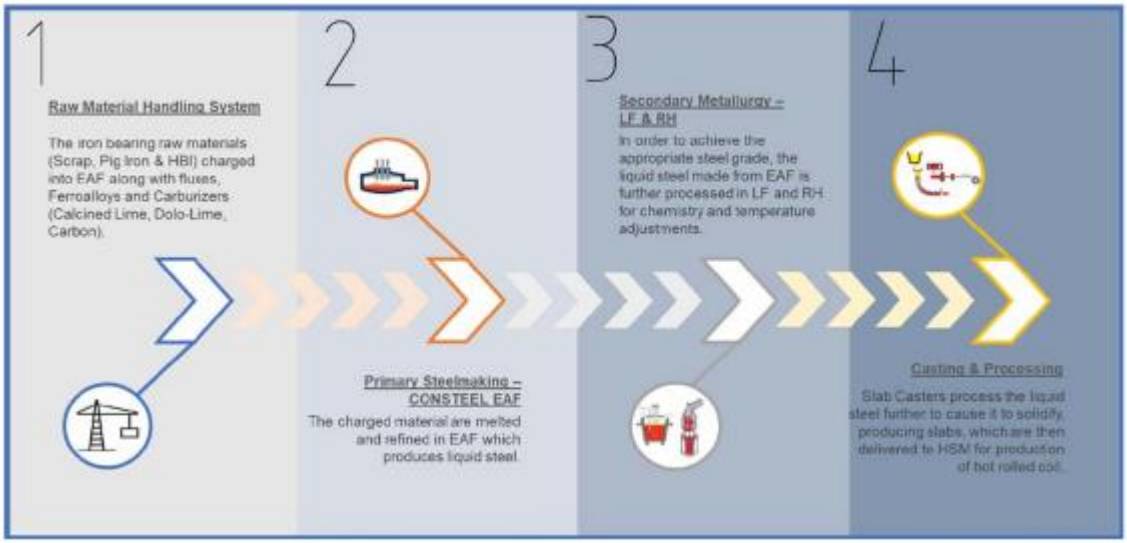

Figure 9: The proposed steelmaking process from raw material to slab (Image 2.1 of the ES)

The new and upgraded transport infrastructure aims to facilitate the delivery of raw materials to the site principally by rail. The proposed development involves the dualling of the existing rail track to allow two trains to service the scrap

facility at the same time. This will involve the provision of approximately 750m of new rail track and associated infrastructure. New internal access roads will be constructed and existing roads widened to allow for the safe and efficient transfer of materials within the steelmaking process. This will involve approximately 1.8km of new and improved internal roadways. Ancillary hardstanding parking areas, would be provided to serve the scrap facility and to provide maintenance access to the on-site National Grid substation.

New scrap and raw materials handling facilities will be provided. A new scrapyard facility is proposed as part of the application, equipped to receive, store and process approximately 2.5 million tonnes of scrap per annum. The scrap yard would receive 90% of material by rail, with the balance delivered to site by road. Rail movements will operate 24 hours, six days per week, as already occurs in the established baseline. The estimated volume of night-time movements is an average of 1.83 trains per hour, this compares to an average of 0.92 trains per hour under established operation.

The applicant outlines that several options remain under consideration for scrap handling which could entail scrap being processed off-site and delivered 'furnace ready', or for this processing to take place at Port Talbot, or for a hybrid of these options with some processing taking place off site and some on-site. To allow for flexibility in which option(s) are adopted, the outline part of the application for the scrap handling entails two phases:

- Phase 1 will provide the facilities required to receive and handle 'furnace ready' scrap. (see Figure 10)

- Phase 2 will as necessary provide additional shredding and processing capacity for this to be completed on Site. (see Figure 10 illustrative information)

The ES reflects all of the options under consideration to ensure that a 'reasonable worst case' is assessed. (see Figure 11 illustrative information)

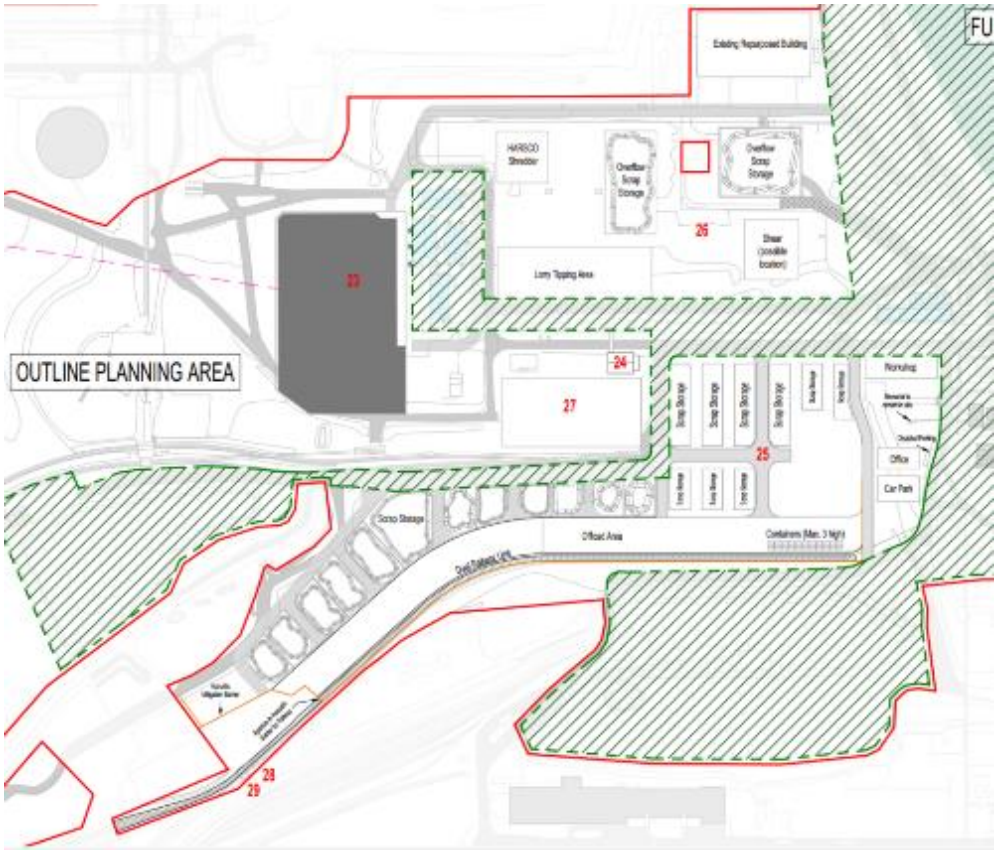

Figure 10: Extract of ES Figure 2.1b showing the illustrative scrap handling facilities within the outline planning application area for phase 1.

The proposed Phase 1 scrap handling will include:

- Rail receipt facilities for weighing, inspecting and unloading trains,
- Scrap bays for segregation and storage of scrap,
- Road network to provide access around scrap yard facilities,
- Relocation of existing Harsco shredder to new scrap yard for processing,
- Office and amenity provision for scrap workers,
- Dedicated scrap overflow yard,
- Scrap lorry unloading,
- Associated mobile plant and equipment for scrap handling and processing,
- Lighting across the scrap yard to allow safe 24 hour operation.

Scrap metal will be delivered by train in containers to the main scrap storage and processing area, where each loaded container will be removed from the train and replaced with an empty container. As the trains enter the area, the load will pass over the weighbridge and under a radioactive scanning facility. This is to ensure that no radioactive sources, such as pacemakers or smoke detectors, are accidentally melted within the EAF. Such sources of scrap are not suitable for use in the EAF, but do not present a hazard if appropriately stored and handled. These materials will be segregated and securely stored prior to removal from the Site for treatment and disposal elsewhere.

The containers will be tipped into the correct bay containing graded scrap ready for use or for further processing. Empty containers would then be stacked ready

for the next train. Scrap segregation and processing will take place within the main ferrous processing area. Once the materials have been segregated they will be transported to the EAF.

The overflow scrap yard will be used for periods where additional stocks of metals are required, or where additional processing is required.

Figure 11: Extract of ES Figure 2.1c showing the illustrative scrap handling facilities within the outline planning application area for phase 2.

If implemented, the Phase 2 scrap handling will additionally include:

- Shredder and associated plant for production of shredded scrap,
- Non-ferrous processing plant for processing of waste generated by the shredder.

Mobile plant would be used to handle scrap and the applicant has used a reasonable worst case scenario as follows:

- Three reach stackers for scrap container movements from the train to the yard;
- Four tipper trailers for scrap delivery to the EAF;
- Six front end loaders for scrap piling and loading of tipper trailers;
- Twelve material handling excavators for scrap piling and shredder feed;
- Three magnet excavators for material movements and yard maintenance; and
- Four forklift trucks.

An acoustic barrier is proposed around the southern and eastern boundaries of the scrap handling area. The ES outlines that this has been modelled at a max. height of 15m for the noise assessment. The noise assessment outlines that this worst case mitigation for the noise generated from the scrap handling process. The ES outlines that they anticipate that the closure of the 'heavy end' processes will allow full quantification of noise and vibration and that there may be an opportunity to reduce the height of the barrier whilst complying with noise limits at receptors. These matters which are assessed as part of this application will be refined as part of any reserved matters applications.

The proposed EAF will see similar quantities of steel produced at Port Talbot to recent production at the works. However, raw material inputs will change and there will be a requirement for new facilities to store and handle raw materials. Traditional steelmaking at Port Talbot used three main raw materials; iron ore, coal and lime. Iron ore will not be required in EAF steelmaking, and lime use will be much reduced. Coal or carbon will still be required as a reductant but in much reduced quantities compared to the established operation.

In addition to scrap as described above, inputs required for the EAF process will include pig iron, dololime (do-lime) and hot briquette iron (HBI). These will effectively substitute the materials used in the existing process, with similar overall quantities. These are detailed in Table 1 above. The EAF will use small quantities of ferro alloys as an additive to the molten scrap, with quantities depending on the type of steel being produced. The ES states that the main raw materials will be transported on to site via the existing rail network. The HBI and pig iron will be stored on a new concrete storage pad. HBI would be transported to the HBI bunker and pig iron to the shredded scrap yard. Ferro alloys will be stored in a dedicated bunker to the south of the BOS plant building

It is proposed to install an EAF, ladle furnaces (LF) with common fume extraction system (FES), material handling system and associated auxiliaries like electrics, instrumentation & automation system, water, and utilities in the existing Basic Oxygen Steelmaking (BOS) plant. This would maintain the present liquid steel production capacity. The existing Ruhrstahl Heraeus (RH) degasser and slab casters will be retained.

In the process description that follows, the EAF operation is referred to as 'primary steelmaking' and the Ladle Furnace (LF) is referred to as 'secondary steelmaking'.

The BOS plant is one of the largest and most prominent structures within the existing steelworks, measuring approximately 60m in height and over 100m in width and 430m in length. Existing vessels, gantries and control rooms will be removed from the BOS plant to facilitate the Proposed Development. These will be replaced by the EAF and LF and associated structures.

A Canopy Hood and Consteel Conveyor will be constructed to the west of the BOS plant, replacing the existing scrap storage shed which will be demolished. The Canopy Hood, will sit on top of the existing BOS plant and the consteel

conveyor building is around 32m in height and 150m in length. To the south will be the EAF Charging Bay which will be constructed as an extension to the southern extent of the BOS plant, the maximum dimensions for this are 43.34m in height, 34.95m in length and 14.65m in width.

Scrap metal and raw materials will be loaded into the EAF using the Consteel Conveyor. Inside the EAF, carbon electrodes will create an electrical arc, which will pass through the metal causing rapid heating, eventually melting the charge scrap. With a continuous process, the scrap will be charged into the furnace with molten metal already in the vessel. The EAF will be operated from a control room located in the roof of the BOS building that collects data and allows for optimisation of the process. Lime and dololime stored in an external bunker will be added to the melt to remove impurities and to help form a slag layer.

The molten metal from the EAF will be transferred into one of two new ladle furnaces, both housed within the BOS plant. The chemistry of the steel will be refined in the ladle furnaces to obtain the grade required by the customer. Ferro-alloys will be added at this stage in the quantities required for the final product.

Molten metal will be tapped from the EAF at a production rate of 320 tonnes of steel every 42 minutes, creating an annual production capacity of approximately 3.2 million tonnes per annum.

The Proposed Development entails enhanced acoustic cladding to the BOS plant for the purpose of ensuring compliance with required noise standards. Other than the alterations detailed above the BOS plant building will remain unaltered.

Metal from the ladle furnaces will be transported to the existing continuous casting (Concast) plant by hopper for onwards processing and to produce steel slabs which will be the feedstock for the hot and cold rolling mills. The Concast plant and hot and cold rolling mills are already in operation and do not form part of the planning application.

Figure 12: Lagoon and BOS Plant Existing

Figure 13: With EAF, Consteel Conveyor, and Fume extraction System.

A new office building will be constructed to the east of the BOS plant to house for operators of the EAF facility. There would be a new car parking facility to allow workers to travel to and park at the Site, change into their work wear, and use the extended covered walkway, which would be retained into the operational phase of the Proposed Development, to enter directly into the main construction area.

The Proposed Development requires a new high voltage electrical connection to the National Grid Margam Substation which is based outside of the Site

boundary. The power distribution upgrades required within Site boundary are part of the current planning application. Development outside of the Site boundary, including upgrade and extension works to the Margam substation and laying of cables up to the Tata Steel UK Limited (Tata Steel) boundary, is subject to separate planning processes by National Grid.

The proposed cable(s) will enter the Site from the east, cross the fields at the southern extent of the Applicant's land ownership and then turn north into the steelworks. The cable will be laid predominantly in open trench, on average 1.5m in depth, with sections tunnelled beneath areas of trees and the railway line. Water courses will be temporarily over pumped and then re-instated once the cable has been laid. The Proposed Development plans show a 30m 'corridor' for the cabling works, this is to allow micro-siting of the cable route within that corridor and for associated temporary development such as establishment of construction accesses, working corridors and stockpiling of excavation spoil; the ES notes that it is not anticipated the full extent of the corridor will require development

Transfer of power from the grid would take place at the proposed main power centre and the proposed power compensation building and power will be distributed to downstream processes at 33 kV and 11 kV. There will be the following new power distribution buildings: Melt Shop Power Distribution Building; Melt Shop WTP Electrical; Melt Shop FTP Electrical Building; and HBI Electrical Building. Within the outline area a scrap yard electrical building will be required and is shown on illustrative plans.

Electrical connection between the identified elements will be by underground cable and overground cable bridge, depending on the ground conditions and extant and proposed structures.

Utility and Water Systems

As detailed above the site will store and use various industrial gases like oxygen, argon, nitrogen, compressed air and fuel gases like natural gas. These industrial and fuel gases are generally used in the steelmaking process as well as for general purpose cutting/heating applications. The existing gas storage system will in general be used with a new central compressed air station.

Water will be required in the EAF steel making process for cooling and quenching, and for sanitation and cleaning of staff personnel working in the plant and offices. Sources of water will remain as those for the existing plant; principally by abstraction licence from the River Afan network, and capture and storage of rainwater. There is a reduction in water usage as shown in Table 1.

Effluent from the office building will enter into the existing system at the site, the ES notes that there will be substantial reduction in foul flows from the established situation due to reduced staffing.

Waste Production

There will be two major waste streams from the EAF steel making process, which are EAF slag and EAF dust (also known as red dust).

EAF slag will be produced from the EAF and will contain elements that are detrimental to steel quality. Quick lime and/or dololime is added to the furnace to help create a slag layer that floats on top of the molten metal. This slag layer removes impurities such as phosphorus, silicon and aluminium. Slag can be tapped separately from the molten metal and taken to the existing on-site slag processing area, where it is cooled in preparation for further processing both on and off-site. The slag can be further processed to create a very hard-wearing aggregate which is often used as road stone. This is a continuation of the existing processing at the site.

EAF dust will be a mix of three extracted dusts generated as part of the process. Primary dust is generated directly from the EAF and will be captured by a hood and transferred into the ducting above the plant and into the Fume Extraction Plant (FEP). Fugitive dusts, within the BOS building will be extracted via a canopy located in the roof of the BOS plant. This extraction will also be transferred to the FEP and mixed with the primary dust. The auxiliary dusts are generated from the materials handling system, which are transferred to the FEP. The FEP will contain bag filters that remove dust from the air with a very high efficiency. The residual air stream post removal will be emitted via the FEP stack. The FEP will contain a single chimney. This chimney will be close to the northernmost edge of the application site and will be taller than other development, at a maximum height of 83.7 m AOD, which is lower that some of the existing stacks that are already located within the wider Steelworks site.

Remediation

The site has a long history of industrial and mining uses and this is reflected in the ground conditions. There are areas of made ground across the site. The applicant in ES Chapter 10 provides detailed information on ground conditions. Site remediation works form part of the proposed development.

Landscape and Ecological Mitigation and Enhancement

The application is supported by a Landscape and Ecology Management Plan (LEMP) and Biodiversity Management Plan (BMP) and detailed Landscaping Plans. Landscape is also a matter to be determined at this stage for the outline area and is not a matter reserved for future determination.

The landscape design proposals are primarily ecology and hydrology led, focusing on measures to restore and enhance retained areas of brownfield and greenfield habitats within the coastal floodplain. The ES states that the landscape strategy seeks to uplift habitat value and increase biodiversity through means of landscape and wetland restoration and habitat creation. Specifically works focus in the southern grazing fields within the application site. The fields are currently unmanaged and have become overgrown with low

value, species poor scrub and rank grassland. The scrub has encroached into the drainage ditches making them inaccessible to wildlife and inhibiting waterflow causing silt to build up. The application is proposing scrub clearance to open the ditch network with any new scrub replacement planting kept to a minimum and managed to retain this open character. The new cable route to the Margam Substation is also proposed through this area and requires excavation and full restoration once the cable is installed and fully operational.

The strategy is to use self-colonising plants to create improved habitats in the southern fields. This approach is also proposed across the wider site with additional landscape features including spoil filled gabion baskets around the lagoon. In addition, site won spoil heap mounds and an extensive site wide 'rain garden' style drainage system along roadside edges would be developed as part of the wider integrated landscape, ecology and drainage strategy.

Other Environmental Considerations

There will be a significant reduction in emissions to air from the steelmaking process through the transition to EAF steel production. Emission quantities of the majority of key pollutants including nitrous oxides, sulphur dioxide and particulate matter are reduced in comparison with the established baseline with resultant benefits for human health and ecological based receptors. (ES Chapter 6)

The closure of the heavy end will bring benefits in terms of reduced road transportation movements and noise emissions. The application also includes noise mitigation for the proposed development.

Unprocessed scrap and shredder non-ferrous by-products will be stored on impervious concrete with a sealed drainage system and directed to appropriate water treatment facilities within the existing Tata site.

The application is supported by a site wide fire strategy. A Fire Prevention Plan will be generated including preventative measures, fire detection sensors including ultraviolet and thermal imaging sensors and fire suppression systems are planned to be installed.

Lighting towers will be installed to provide appropriate lighting levels for the activities undertaken in the area. The proposed lighting scheme is illustrated for the outline element of the development and a detailed scheme for the full planning element of the development. The application is supported by an assessment of light pollution which has informed the design process.

Construction

The ES provides details on construction of the proposed development and is supported by a draft Construction Environmental Management Plan (CEMP). The development will require extensive storage and lay down areas for construction operations, which can be accommodated within the application site.

The construction will involve earthworks. The ES outlines that the main volume of earthworks arises from the removal of the Harsco Bank down to the floor level of the existing BOS plant building. The ES sets out that material removed due to the Harsco Bank re-profiling will be temporarily stockpiled on-site, screened and tested to identify different potential applications of the material on-site. Depending on the properties, re-use will include; geotechnical fill, re-processing as slag, landscaping and re-use in habitat creation. Any material not suitable for retention will be disposed of in the Applicant's own landfill.

For the scrap yard, scrap storage yard, and National Grid substation earthworks, the final platform level would be circa. 7m AOD, and designed to minimise the cut and fill volumes of the earthworks. Part of the existing works lagoon would be infilled to provide space to construct roads, buildings and plant. The material required to infill will be site-sourced, predominantly from site stockpiles of furnace slag (following testing for appropriate reuse). No importation of materials is anticipated. The perimeter of the section of infill to the existing BOS lagoon would be retained with a tied, twin-wall sheet pile wall to be piled from pontoons above the water. The affected areas of the lagoon would be dredged and a stone platform will then be infilled with site-won materials. The sheet pile wall will act as a physical barrier to prevent contamination of the remaining operational lagoon during the infilling operation

The applicant has provided details of buildings to be demolished. These include: Scrap storage shed; Pump house; Harsco baler plant; Weighbridge; Harsco frag plant; Electrical room; Mechanical / electrical workshop; RH penthouse; RH cooling tower; RH pump house; Slag splashing compound; Storage shed; HAA coal unloading station; Coal conveyor superstructure; Inlet structure; BF gas pipe rack (partially removed); Existing compressor house with MCC room; and Concrete abutments.

The ES provides details of the fabrication, assembly and erection of structural steel; construction power supply; construction and potable water supply; access roads; temporary and permanent drainage; project site offices; parking; and laydown areas.

The ES states that soil investigations and the nature of the structures to be constructed requires piled foundations. The total number of piles are estimated as 3,000 no. of precast concrete and bored cast in-situ piles. The length of the piles is estimated to be up to 30m. The precast concrete piles would be manufactured off site and delivered to the laydown areas on site. The precast concrete piles would be manufactured in lengths suitable to transport and handle as well as to ensure minimum splicing during installation. For installing the piles, the plant and machineries generally used for driving precast concrete piles will include; a crane, vibro hammer, hydraulic hammer with power pack or drop hammer, leaders or guide frame.

The development will involve some construction excavation. The excavation depth for foundations is generally shallow, up to 3 m depth. The hoppers designed as part of the materials handling facilities would require excavation

depths of up to 9 m. The ES outlines the approach to excavation. This identifies that the water table is envisaged to be between 1 m to 2 m below the existing ground level. A dewatering system such as deep bore wells will be installed to ensure that the groundwater level is maintained at least 2 to 3 m below the excavation level.

The ES sets out that the proposed works require an estimated 65,000 m3 of reinforced concrete. Reinforced concrete is formed from steel reinforcement bars that are fixed in-situ and surrounded with fresh concrete. The concrete will be cured in-situ to the designed shape by means of timber or metal formwork panels. Once fully cured, the formwork will be removed to leave a hardened, reinforced concrete foundation. The ES sets out that these works will involve the operation of concrete pumps, boom placer, transit mixer, on site batching plant and a vibrator for compacting concrete. Detailed information is provided on steel erection and mechanical erection. The major electrical work is outlined.

The ES also contains indicative information on the construction equipment to be used and assesses the impacts of these.

The ES provides the following is an indicative programme of works:

Commencement of construction	**Mid 2025**
Construction complete	**Late 2027**
Commissioning	**Mid to late 2027**
Operation (first melt)	**Early 2028**

The application outlines decommissioning (as required by the EIA regulations) noting that this is not a time limited permission with works being undertaken in the future in accordance with the legislation and guidance that applies at such a time. It further notes that decommissioning stage demolition is de-construction or in effect construction in reverse. Therefore, it is considered that any impacts likely to occur during decommissioning stage demolition would be similar to and managed in a similar way to that assessed in this EIA for the during construction phase of the Proposed Development.

NEGOTIATIONS:

The Authority has undertaken extensive pre-application discussions with the applicant and their representatives over recent years. Specialist officers and consultees have fed into the scope of the Environmental Statement and the overall design and layout of the development that has come forward for determination.

Since submission the application has not been amended.

Additional clarification has been provided in a number of areas at the request of consultees:

Clarification of emissions to air.
Clarification of economic impacts.

However, this has been to clarify information already contained within the ES rather than additional information not previously part of the submission.

PLANNING HISTORY

This is an extensive site which has a history of planning applications related to its use as a steelworks.

The following are recent relevant developments permitted at the site:

- P2024/0693 The installation and retention of concrete hardstanding for industrial use associated with the continued operations of the steelworks, and landscaping, green infrastructure and drainage works. “P-Fields” Port Talbot Steelworks, Approved subject to conditions 18.12.2024. This permission is awaiting discharge of conditions.

- P2024/0205 Retention and construction of perimeter fencing and access gates. Port Talbot Steelworks, Approved 26.06.2024 and the majority of the fence completed on site at the time of officer site visit.

- P2024/0162 (excluded from current application site) The installation of a 30 metre high lattice tower supporting 6 no. antennas and 2 no. transmission dishes, radio equipment housing and ancillary development. Port Talbot Steelworks, Approved subject to conditions 09.05.2024.

- P2018/1036 Demolition of existing structures accommodating the secondary dust extraction system for the sinter plant and installation of a replacement secondary system, including a bag filter system comprising a 6 storey structure, pipework and ducting, chimney stack (55m tall), electrical equipment, hard and soft landscaping and associated development. Port Talbot Steelworks, Approved subject to conditions 05.02.2019 and implemented.

- EN010062 - Development Consent Order (DCO) was granted in September 2015 to enhance internal power generation at Port Talbot Steelworks. Phase one of the DCO has been implemented.

CONSULTATIONS

Consultee	Response
Natural Resources Wales	Raise concerns that they advise can be addressed through conditions securing: appropriate use of blast furnace slag; materials management; a construction environmental management plan; operational dust

Consultee	Response
	suppression; a piling risk assessment; contaminated land remediation; a mitigation plan for sea buckthorn; and a landscape environmental management plan. No objections subject to these conditions. Noting that the site will also require Environmental Permitting.
Cadw	Agree with the reports conclusion that there will be a moderate, but not significant impact on the settings of designated assets.
Heneb (formerly Glamorgan Gwent Archaeological Trust)	Comment on the need for a Written Scheme of Investigation.
Public Health Wales (PHW)	A commentary and detailed advice is provided on chapters of the supporting ES which fall within their remit.
Swansea Bay Health Board	A commentary and detailed advice is provided on chapters of the supporting ES which fall within their remit.
NPT Highways	No objections subject to conditions requiring car parking as detailed; appropriate lighting; safe pedestrian routes for construction; and provision of construction signage.
NPT Drainage	No objections SAB approval required.
Health and Safety Executive (HSE)	HSE provide comments on the development and conclude that they would not advise, on safety grounds, against the granting of planning permission for the proposed development. Noting that this site is also regulated as a COMAH Upper Tier site.
Swansea Council	Provide comments on the application and in particular the potential impact of the development if it does not receive planning permission and go ahead. They note that if the EAF does not go ahead it will have significant adverse economic, social and environmental effects on the wider Swansea Bay City Region due to the likely cessation of steel making in Port Talbot.
Welsh Government Transport	In their role as the Highways Authority for the M4 motorway they do not offer a direction on the application.
NPT Building Regulations	Engaging with applicant for any works that may require their involvement.
NPT Contaminated Land	No objection subject to standard conditions in relation to contaminated land and mine gas risk. Additional conditions also recommended securing a piling risk assessment and securing a material management plan.
NPT Ecologist	No objections to the proposal.

Consultee	Response
NPT Economic Development	Comments on the socio-economic Chapter of the ES and support for the development in principle.
NPT Environmental Health (including noise and air quality)	Noise Consultant – ES reviewed and following clarification, conclusions agreed with. Air Quality Consultant – ES reviewed and following clarification, conclusions agreed with.
NPT Tree Officer	Supporting Arboricultural information reviewed and no objections.
Mid and West Wales Fire and Rescue Authority	Provide advice to the developer.
South Wales Police	No observations to make.
Dwr Cymru Welsh Water	Request inclusion of standard advisory note.
The Mining Remediation Authority (Former Coal Authority)	No objections subject to standard conditions and advice.
Office of Rail Regulation	No comments to date.
Network Rail	No objections to the proposal
Wales and West Utilities	Information provided on the presence of assets close to and within the site.

REPRESENTATIONS

Application Publicity
The application was publicised as a major development and as a development accompanied by an Environmental Statement as defined under the Town and Country Planning (General Development Management) (Wales) Procedure Order 2012 and The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The application publicity gave 30 days to respond to the proposal.

The application publicity was as follows: Placing ten site notices in various locations near to the site and an advert was placed in the South Wales Evening Post.

Following publicity no representations were received.

Pre-Application Consultation (PAC)
The application was supported by the submission of the necessary Pre-application Consultation (PAC) Report. The report states that the Pre-

application Consultation exercise was carried out in accordance with the requirements of the Town and Country Planning (Development Management Procedure)(Wales) Order 2016 (as amended) for the mandatory pre-application consultation process for a minimum of 28 days prior to the submission of a major planning application. The report states that the relevant information was made available online and substantial efforts were made to publicise the application.

This included a two stage consultation process, the first stage was non statutory between 24 July 2024 – 16 August 2024. The applicant's undertook the following:

Created a bespoke website which had 819 views from a total of 354 internet users;

- A consultation postcard was distributed to 3,559 addresses near the Port Talbot steelworks. 300 additional postcards were printed and delivered to local community buildings to be displayed;
- A press release was issued to local, regional and national news outlets and was published in Insider Media, Penarth Times, and South Wales Argus.
- A poster advertising the consultation and events was displayed at community venues in Port Talbot.
- Details of the consultation were shared with TSUK employees via email and posting on their internal channels and through the use of posters and information banners at the Port Talbot Steelworks site.
- The consultation was advertised on TSUK's social media channels on Facebook, Instagram, and LinkedIn using organic and paid for advertising. The Facebook posts had an organic reach of 10,748 and Instagram a reach of 678. LinkedIn had an organic reach of 5,395. Advertisements on Meta (Facebook and Instagram) had a reach of 21,566 leading to 490 clicks through to the website. Advertisements on LinkedIn had a reach of 11,697.
- Social media posts advertising the consultation were shared by local political stakeholders on their own Facebook accounts, with political representatives sharing the consultation including Stephen Kinnock MP, Margam & Taibach Ward Labour Councillors, David Rees MS, Cllr Charlotte Galsworthy, Cllr Sean Pursey and Cllr Saifur Rahaman. Shares of the original post by TSUK.

During the phase 1 consultation, a series of employee and community events were held, comprising both webinar events and drop-in events. In total, 590 people attended the in-person and online events during the initial consultation.

This included distributing postcards to 9,234 addresses, undertaking two social media campaigns (the first campaign reached 14,955 people and the second 12,333 people). Hosting an online webinar and three in-person drop-in consultation events, where Project information was made available. Attending two existing community events and distributing posters advertising the pre-

application consultation. Notices required statutorily were placed around the site and a copy provided.

The PAC report provides a full review of the feedback received during the pre-application consultation process and the applicant's response to the feedback. A number of key areas of interest were identified: air quality and dust and whether the existing situation would improve; carbon emissions; EAF Technology and its ability to create the same quality and range of products; whether the EAF would produce enough steel to meet customer requirements; EAF waste handling; what guarantees / agreements to TSUK have to a UK supply of scrap; investment including in this project and improvements to the rolling mills; the future of the heavy end; continuing on site services; reasoning for closing the Continuous Annealing Process Line (CAPL) as part of the scheme and whether this means there would be annealing done to cold rolled steel; representations were made on the overall steel making process including the rolling mills; transport and whether finished products would be shipped by rail; whether scrap steel is more cost effective; whether scrap quality and size could be improved on site.

The phase 2 PAC included the statutory consultation outlined above. The report highlights one third party representation which made enquiries about the heritage and future of rolling stock and rail infrastructure at the site.

The PAC report has been reviewed and is considered to be sufficient to meet the statutory requirements.

REPORT

Planning Policy Context

National Legislation, Planning Policy and Guidance

The Well-being of Future Generations Act (Wales) 2015 (WFGA 2015)

The WFGA 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Future Wales – the National Plan 2040

Future Wales - the National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. Future Wales forms part of the development plan and sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a

vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and wellbeing of our communities.

Outcome 11 of FW states that "decarbonisation commitments and renewable energy targets will be treated as opportunities to build a more resilient and equitable low carbon economy". FW aims to ensure that the planning system will help Wales "lead the way in promoting and delivering a competitive, sustainable decarbonised society

The following policies are of particular relevance to the assessment of this application:

Policy 1 Where Wales will grow.
Policy 2 Shaping Urban Growth and Regeneration – Strategic Placemaking.
Policy 9 Resilient Ecological Networks and Green Infrastructure.
Policy 13 Supporting Digital Communications.
Policy 28 National Growth Area – Swansea Bay and Llanelli

Welsh National Marine Plan (November 2019)

The Welsh National Marine Plan (November 2019) (WNMP) extends up to the level of mean high water spring tides and the waters of every estuary, river or channel, so far as the tide flows at mean high water spring tide. In comparison, land-use planning boundaries generally extend to mean low water spring tides. This Plan therefore overlaps physically with terrestrial plans, helping to facilitate integration between land and sea planning and management.

Vision and objectives
The vision for the Welsh inshore and offshore marine plan regions is: Welsh seas are clean, healthy, safe, productive and biologically diverse:

- Through an ecosystem approach, natural resources are sustainably managed and our seas are healthy and resilient, supporting a sustainable and thriving economy;

- Through access to, understanding of and enjoyment of the marine environment and maritime cultural heritage, health and well-being are improving;

- Through Blue Growth more jobs and wealth are being created and are helping coastal communities become more resilient, prosperous and equitable with a vibrant culture; and

- Through the responsible deployment of low carbon technologies, the Welsh marine area is making a strong contribution to energy security and climate change emissions targets.

Developments are categorised into bands depending on the risk of the development to the marine environment. The following policies are considered to be material to this proposal:

GEN General Policy – Planning Policy

GEN_01 There is a presumption in favour of the sustainable development of the plan area in order to contribute to Wales' well-being goals.

GEN_02 Relevant public authorities should take a proportionate, risk-based approach to application of relevant marine planning policies in decision making.

ECON General Policy – Achieving a Sustainable Marine Economy

ECON_01 Supporting sustainable economic growth.

ECON_02 Supporting coexistence.

SOC General Policy – Ensuring a Strong, Healthy and Just Society

SOC_02 Supporting the well-being of coastal communities.

SOC_03 Minimisation of the risk of proposals causing or contributing to marine pollution

SOC_07 Avoidance, minimisation and mitigation of seascape impacts.

SOC_08 Proposals should demonstrate how they are resilient to coastal change and flooding over their lifetime.

SOC_09 Avoidance and minimisation of impacts on coastal processes.

SOC_10 Minimising climate change

SOC_11 Proposals should demonstrate that they have considered the impacts of climate change and have incorporated appropriate adaptation measures.

ENV General Policy – Living within Environmental Limits

ENV_01 Avoidance, minimisation and mitigation of impacts on marine ecosystems.

ENV_06 Avoidance, minimisation and mitigation of adverse impacts on air and water quality.

GOV General Policy – Promoting Good Governance

GOV_01 Assessment of cumulative effects.

Planning Policy Wales (Edition 12, February 2024)

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio economic Duty. A well functioning planning system is fundamental for sustainable development and achieving sustainable places

PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well being of Wales and its communities. It

encourages a wider, sustainable and problem solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un coordinated and deals with issues in isolation. It provides an opportunity to remove any actual or perceived problems in current approaches and stimulate and support innovative and creative ideas as well as high standards of evidence and assessment to underpin the preparation of development plans and strategies and individual proposals. Monitoring and learning from development outcomes so as to drive sustainable improvements in planning practice is also important.

The following is of particular relevance in the assessment of this planning application:

• Paras 3.3 to 3.17 (Good Design Making Better Spaces)
• Paras 3.30 and 3.37 (Sustainable Management of Natural Resources)
• Paras 3.55 and 3.56 (Previously Developed Land)
• Para 3.60 (Development in the Countryside)
• Paras 4.1.1 to 4.1.4 (Transport)
• Paras 4.1.5 to 4.1.8 (Integrated Planning and Transport Strategies)
• Paras 4.1.8 to 4.1.18 (Sustainable Transport)
• Paras 4.1.9 to 4.1.25 (Active and Social Streets)
• Paras 4.1.26 to 4.1.35 (Active Travel)
• Paras 4.1.36 to 4.1.39 (Public Transport)
• Paras 4.1.40 to 4.1.42 (Ultra Low Emission Vehicles)
• Paras 4.1.43 to 4.1.49 (Traffic Management)
• Paras 4.1.50 to 4.1.55 (Car Parking)
• Paras 4.1.56 and 4.1.57 (Transport Assessments)
• Paras 5.3.1 to 5.3.5 (Transport Infrastructure)
• Paras 5.3.6 to 5.3.8 (Public Transport)
• Paras 5.3.9 to 5.3.13 (Strategic Road Network)
• Paras 5.3.14 to 5.3.16 (Ports, Harbours, Marinas and Inland Waterways)
• Paras 5.3.17 to 5.3.18 (Airports)
• Paras 5.3.19 to 5.3.24 (Freight)
• Paras 5.4.1 to 5.4.2 (Economic Development)
• Paras 5.4.9 to 5.4.15 (Steering Economic Development to the Most Appropriate Locations)
• Paras 5.7.8 to 5.7.12 (Electricity Grid Network and Energy Storage)
• Para 5.7.13 (Energy Hierarchy for Planning)
• Paras 5.7.14 to 5.7.15 (Renewable Energy Targets)
• Paras 5.8.1 to 5.8.7 (Sustainable Buildings)
• Para 5.9.1 (Renewable and Low Carbon Energy)
• Paras 5.9.11 to 5.9.13 (Local Energy Generation)
• Para 6.2.1 to 6.2.3 (Green Infrastructure)
• Para 6.2.5 to 6.2.10 (Green Infrastructure Assessments)
• Para 6.2.11 to 6.2.14 (Integrating Green Infrastructure and Development)
• Para 6.3.12 to 6.3.17 (Characteristics of Local Landscapes)
• Para 6.4.11 to 6.4.17 (Step-wise approach)
• Para 6.4.31 (Protection for Non-statutory Designations)
• Para 6.4.35 (Protected Species)
• Paras 6.6.8, 6.6.17 to 6.6.20, 6.6.24, 6.6.25 and 6.6.27 (Water and Flood Risk)

• Paras 6.7.6 and 6.7.8 (Framework for Addressing Air quality and Soundscape)
• Paras 6.9.16 to 6.9.21 (Land Contamination)

Technical Advice Notes

PPW is supported by a series of more detailed Technical Advice Notes (TANs), of which the following are of relevance: -

- TAN 5: Nature Conservation and Planning (30 September 2009)
- TAN 11: Noise (31 October 1997)
- TAN 12: Design (31 March 2016)
- TAN 14: Coastal Planning (24 November 2021)
- TAN 15: Development and Flood Risk (20 July 2004)
- TAN 18: Transport (31 March 2007)
- TAN 21: Waste (23 February 2017)
- TAN 23: Economic Development (28 February 2014)
- TAN 24: The Historic Environment (30 May 2017)

Local Planning Policy and Guidance

Overview
The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 is the Neath Port Talbot Local Development Plan 2011 – 2026 (Adopted January 2016) (hereafter LDP). When considering the grant of planning permission the plan should be considered as a whole, within the LDP the following policies are of particular relevance.

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable communities
- **Policy SP4** Infrastructure
- **Policy SP5** Development in the Coastal Corridor Strategy Area
- **Policy SP11** Employment Growth
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP18** Renewable and Low Carbon Energy
- **Policy SP19** Waste Management
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage

Topic Based Policies

- **Policy SC1** Settlement Limits
- **Policy I1** Infrastructure Requirements
- **Policy EC1** Employment Allocations
- **Policy EC3** Employment Area Uses
- **Policy EC4** Protection of Existing Employment Uses

- **Policy EN2** Special Landscape Areas
- **Policy EN3** Green Wedges
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy EN9** Developments in the Central Port Talbot Area
- **Policy EN10** Quiet Areas
- **Policy M1** Development in Mineral Safeguarding Areas
- **Policy RE2** Renewable and Low Carbon Energy in New Development
- **Policy W1** In-Building Waste Treatment Facilities
- **Policy W3** Waste Management in New Development
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design
- **Policy BE2** Buildings of Local Importance

Supplementary Planning Guidance

- Planning Obligations (October 2016)
- Parking Standards (October 2016)
- Pollution (October 2016)
- Renewable and Low Carbon Energy (July 2017)
- Design (July 2017)
- Landscape & Seascape (May 2018)
- Biodiversity and Geodiversity (May 2018)
- The Historic Environment (April 2019) (incl. Schedule of Buildings of Local Importance and SPG: Schedule of Designated Canal Structures)

EIA and HRA Screening

The proposed development falls within Part 4 of Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (the EIA Regulations), comprising 'production and processing of metals' over 1,000 square metres of new floorspace.

The application is accompanied by an Environmental Statement. As the application is accompanied by an Environmental Statement, under regulation 25 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, when determining an application the Authority must:

(a) examine the environmental information;
(b) reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to in sub-paragraph (a) and, where appropriate, their own supplementary examination;
(c) integrate that conclusion into the decision as to whether planning permission or subsequent consent is to be granted; and

(d) if planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.

Officers of the Authority, informed by consultees and specialist consultants have considered the ES and consider that it is sufficient to meet the requirements above.

The potential impact of the development on any SPA, SAC, CSAC or Ramsar sites is considered in detail in a supporting assessment and within the Environmental Statement. These determined that there was no likely significant effect on a European Protected Site and this opinion is accepted by NRW within their role as the national Nature Conservation Body and by this Authority in their role as Competent Authority under the Habitat Regulations. This issue is considered in more detail in the relevant section below.

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development; the impact upon the landscape and visual amenity; the impacts upon the heritage and archaeological assets; the impact upon residential amenity; the impact of noise and vibration; the impact on air quality; the impact of light pollution; the impact upon parking and access requirements and their impact upon highways and pedestrian safety; together with the impacts upon the socio-economics; the impact upon land, hydrology, drainage and flood risk; the impact upon biodiversity and health and safety risk to human health and the impact upon waste management.

Principle of Development and Consideration of Alternatives

As set out in the policy section above the application should be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires planning applications to be determined in accordance with the Development Plan (as defined in the planning policy context above), unless material considerations indicate otherwise. In this case there are a range of policies in the development plan to be taken into account, as well as a number of other material considerations. In considering the relationship of the proposal to the development plan, the proposal should be judged against the development plan as a whole rather than against individual policies in isolation.

The analysis that follows, therefore, assesses the proposed development against the extant planning policies contained within the Development Plan. This assessment will establish the acceptability, or otherwise, of the proposal against those policies to establish whether 'in principle' the development either is, or is not, acceptable by virtue of degree of compliance with the development plan.

Need for development

The applicant's supporting Planning Statement (2.29) states the following regarding the need to invest and take action to support the continuation of steelmaking in Port Talbot:

- *The ability to produce indigenous low-carbon steel is of critical national importance to the ability to meet legally binding UK and Welsh Government net zero commitments.*

- *Tata Steel Group is a global leading brand committed to decarbonisation of its assets, as part of both the pathway to net zero and for achieving long-term commercial sustainability.*

- *Tata Steel Group is committed to Tata Steel, which produces 10% of its output. 54% of steel produced in the UK is made at the steelworks in Port Talbot. The site and its steel products are vital to the local, regional and UK economy.*

- *The steelworks is in sharp decline with the global market for its carbon intense products diminishing, the heavy end closing and circa £1m a day being lost. Its carbon emissions also directly contradict the UK and Welsh Government's commitments to net zero.*

- *The steelworks is at the economic and social heart of Port Talbot. Maintaining the status quo is not an option. The adverse impact of the loss of the steelworks on the locality and region would be very significant.*

- *Regenerative change is needed now. The viable future is clearly in low-carbon steelmaking, reflecting the trend of European steel makers transitioning away from blast furnace steel production.*

- *Port Talbot is a prime, sustainable location to develop low-carbon steelmaking, based on local skills and industry, geography and connectivity, and the wider decarbonisation agenda.*

The applicant has recently closed the "heavy end", which encompasses the existing stockyard, sinter plant, coke ovens, blast furnaces, and steel converter, all of which have now ceased to operate. The supporting planning statement (paragraph 2.21) notes that the end-of-life status of the 'heavy end' assets was having a significant impact on the commercial viability of the integrated steelmaking facility in Port Talbot. The planning statement goes onto outline that, Tata Steel has identified a need for £163 million in environmental investments by 2030 under a 'business as usual' scenario to maintain compliance with its environmental permit.

Consideration of Alternatives

The submitted ES within Chapter 3 examines the alternatives to the proposed development. This was a multi stage process and includes a 'Do nothing' scenario. The ES states that there are a number of different sites across the applicant's extensive property portfolio that have been considered for the development (see description of development above). The do nothing scenario is considered, it is noted that the likely outcome of this would be the cessation of steel production at Port Talbot (ES paragraph 3.2.7). Following cessation of

steel production the site would likely be eventually re-developed for unknown purposes.

An alternative site and design was considered to the south of the site which would have allowed for the continued operation of the heavy end through a transition period to EAF steel production. This alternative was discussed with the Authority and officers are in agreement with the assessment that this alternative was more likely to have a greater green field land take and more significant environmental effects. The current proposal is more heavily integrated within the existing steelworks site, utilising existing plant. The applicant has pursued this proposal predominantly based on safety, commercial, viability and buildability of the scheme.

Alternative technologies (Blast furnace & carbon capture, use and storage (CCUS) and H2 direct reduced iron (DRI) & electric arc furnaces) are also considered in the ES and outlined in the proposed development section above. CCUS was not pursued due to much of Port Talbot's heavy-end assets (coke ovens and blast furnaces) reaching the end of their operational lifespans, the lack of CCUS being applied at scale, and continuing reliance on coal as a non-renewable energy source, does not align with reaching sustainability and net zero emission goals. DRI is a way to make iron for steelmaking. Hydrogen made with renewable energy in DRI production offers a potential route to CO2 free ironmaking. However, the ES sets out that renewably sourced hydrogen at the scale required is currently unavailable, and no confident timescale could currently be placed on when sufficient supply could be secured. With the Port Talbot heavy-end assets reaching the end of their operational lifespans before this date, hydrogen DRI is unlikely to be a feasible solution to current requirements for the site without interim reliance on natural gas at this time.

Chapter 3 of the ES outlines that the EAF presents the most appropriate solution for the continued use of the Port Talbot site in comparison to the alternative options. It identifies that the opportunities of focusing on recycling steel, of which the UK has a large surplus (8 million tonnes exported every year, which is more than any other country in the world), and ultra-low emissions if the electricity supplied to EAF comes from renewable sources. The EAF is proven technology in comparison to CCUS and in future green DRI could potentially be developed.

Policy Context

The LDP includes overarching objectives that are particularly relevant to this proposal:

- OB 1 seeks to minimise the causes and consequences of climate change;

- OB 2 seeks to reduce people's exposure to the determinants of poor health and provide an environment that encourages healthy, active and safer lifestyles;

- OB 11 seeks to protect a diverse portfolio of employment land and employment opportunities to meet the needs of residents and businesses and stimulate economic growth; and

- OB 12: seeks to improve and strengthen the economic base of Neath Port Talbot to increase economic activity.

- Other objectives seek to value the environment of the County Borough in OB15 – OB20 and to protect its distinctiveness OB23-OB25.

The site of development is within the existing Port Talbot steelworks area. The Port Talbot steelworks has been operational, in largely its current configuration for over 60 years. The wider area also includes other major industrial development and infrastructure such as the Port Talbot Docks to the north and BOC and biomass power plants to the south east. Large scale heavy industrial use is firmly established at this site. The application site is outside of the settlement limit as defined in LDP Policy SC1. The site is however fully contained within a wider area of land to which Policy EC2 Existing Employment Areas of the Neath Port Talbot Local Development Plan (hereafter the LDP), applies. This includes the entirety of the site including the 'southern grazing fields' to the south of the site. This policy identifies the site as an existing employment site (reference: EC2/11) where appropriate employment uses (as defined in Policy EC3) will be supported. The development will fall within use class B2 (General Industrial Use). Policy EC3 supports the provision of B2 uses on existing employment sites. The site is closely related to Port Talbot, which is defined as a town within the LDP settlement hierarchy – it is a regionally important settlement, supporting a diverse range of functions, it is well connected to the strategic road and rail network and is a sustainable location for new development.

Future Wales also forms part of the Development Plan. Future Wales supports growing the economy in a sustainable manner, creating and sustaining communities and making best use of resources. Future Wales also implements spatially the Wales Economic Action Plan - Prosperity for All. It facilitates this by supporting a low carbon economy and the decarbonisation of industry, and the growth of sustainable and renewable energy and by supporting the sustainable location of economic land uses.

Planning policy in the LDP and Planning Policy Wales also strongly supports the re-use of vacant and under utilised brownfield land. The site (excluding the grazing fields) is previously developed land used in association with the steelworks. As outlined above it includes areas of stock yard hardstanding and other elements of the steelworks.

Planning Assessment

The proposed development aligns with the provisions of the Local Development Plan. In particular it supports the objectives to protect a diverse portfolio of employment land and employment opportunities it will also supports the economic base of Neath Port Talbot sustaining and providing on going

economic activity and the basis to increase economic activity into the future. As identified in Figure 7 the proposed development is a £930m asset investment in the EAF to continue steelmaking in Port Talbot. The EAF will provide the basis to invest a further £310m in following projects.

The proposal will facilitate the transition of the existing steelworks from the current carbon intensive process to a lower carbon alternative using an electric arc furnace. The aim of the proposal is to deliver low carbon steel making in line with Government policy and there is Government financial support for a transition to this across the wider steel industry. The proposal will support sustaining employment within the steelworks and secondary employment within the surrounding region and at a UK level. The socio-economic and climate change effects of the proposal are discussed in more detail in relevant sections of this report, but are reasonably clear in principle. The proposal will also make use of land that is brownfield, underutilised and in need of re-development. This is in line with the policies of Future Wales and Planning Policy Wales.

The case around the need for development and that this proposal will support continued steel making at Port Talbot is accepted in principle. This is based on the case made for the need for change by the applicant and the closure of elements of the site. The proposal will support a future for the site and the transition to electrified steel making. It is accepted that the proposal will sustain the existing employment use of the site as allocated and in principle is an appropriate development in line with the objectives of the LDP.

The proposed development is in compliance with the existing LDP policy allocation and supports an existing employment use and aligns with many LDP objectives particularly in relation to climate change and supporting the economy. The ES has given due to consideration to alternatives and justified the approach taken in this application. There is a clear demonstration in the supporting information of the need to transition steel making at the site. In principle the development of this site as proposed is in in principle in accordance with policies of the LDP. It also does not preclude further development of complementary facilities in the future.

Landscape and Visual Impact

LDP objective 15 states the importance of conserving the boroughs important landscapes:

"Conserve Neath Port Talbot's important landscapes, countryside, undeveloped coast, important wildlife, habitats and geodiversity sites, ensuring that developments throughout the County Borough respect all landscapes and minimise adverse impacts."

Section 5.3.2 goes on to state:

"Neath Port Talbot has a variety of distinctive and contrasting landscapes and seascapes. The Neath Port Talbot LANDMAP landscape assessment evaluates approximately half of the County Borough area as 'high' or

'outstanding' for its geological landscapes, much of the visual and sensory aspect layer is evaluated as 'moderate' or of local importance with 'high' values applied to plateau and coastal areas, there are 'high' and 'outstanding' values for landscape habitats and the majority of the County Borough is 'high' or 'outstanding' in terms of its cultural aspect layer."

Policy BE1 requires that development complements and enhances the character and appearance of the site; respects the context of the site and its place within the local landscape; utilises materials appropriate to its surroundings; and incorporates appropriate landscaping. Detailed design guidance relevant to visual amenity is provided in the Authority's Supplementary Planning Guidance: Design (July 2017).

The application is supported by a Landscape and Visual Impact Assessment (LVIA). This is set out in Chapter 5 of the ES and in appendices. The scope of the LVIA was discussed with the Authority during pre-application discussions, with the applicant providing additional viewpoints at the request of officers and also consultants providing justifications for their choice of viewpoints and study area. The LVIA used a study area of 11km, this was used for previous iterations of the development where taller structures were proposed than are within this application. It was also extended to over this distance to allow for assessment from the Gower National Landscape at Mumbles Head. The application is supported by Zone of Theoretical Visibility (ZTV), the ZTV shows how the visibility of the development and the study area is clearly demonstrated to be appropriate and in line with relevant guidance.

The methodology provided (including assessing Landscape / visual sensitivity; magnitude of effect; significance of effect beneficial/adverse effects; cumulative assessment; and night-time assessment) are all clearly defined, discussed within pre-application discussions and agreed with the applicant as being an appropriate approach to assessment.

The LVIA does not incorporate a Residential Visual Amenity Assessment (RVAA). As members may note these are commonly submitted in support of major infrastructure developments such as wind farms. The need to submit an RVAA was discussed with the applicant's consultant and it was agreed that the development would not give rise to effects that would meet the threshold for this form of assessment. This is largely due to the separation of the development from sensitive residential receptors, the nature and scale of intervening existing development and the nature of the development proposed.

The ES provides a detailed consideration of the baseline landscape / seascape, the site is not within any designated landscape. The LVIA identifies special landscapes areas (as defined in policy EN2) and notes that the Margam Mountain SLA is around 1.0km to the east of the site. Margam Mountain Registered Landscapes of Outstanding and of Special Interest in Wales is also 1.0km to the east. Talbot Memorial Park is located to the North East (around 1.5km) and is Grade II under the Register of Historic Parks and Gardens Wales. The Gower National Landscape is the nearest nationally designated landscape. Landscape character areas are also appropriately identified. The LVIA also

identifies visual receptor groups such as residential areas, recreational users of local rights of way and other recreational / tourist receptors. 25 Viewpoints and additional night time viewpoints are identified.

The LVIA identifies the project characteristics and embedded mitigation. Generally it concludes that the proposal would introduce a new element into the steelworks, with the new element having similar characteristics to the existing development and in keeping with the overall scale and massing of the steelworks.

The LVIA goes onto identify that the proposed embedded mitigation is inherent within the siting and design of the scheme. The Proposed Development is located firmly within the existing industrial area of the Site and makes use of existing transport infrastructure. It will therefore largely be perceived and viewed as part of the existing Site infrastructure and works, rather than an altogether new development. The scale of the proposals will not extend the working area of the Site and the height and massing of buildings will be subservient and complementary to existing plant and buildings, with the exception of the Fume Extraction Plant (FEP) chimney as described above. The LVIA sets out that new lighting will be designed to minimise light spillage whilst providing a safe working environment, noting that the steel works is already a well-lit feature within the views.

Potential mitigation in the form of a noise barrier has also been considered within the maximum parameters model and assessment of landscape and visual effects. There would be a loss of habitat within the site as a result of the construction process, but overtime this would be mitigated. The LVIA concludes that the embedded mitigation is sufficient to mitigate all potentially significant landscape and visual effects with no further secondary or tertiary mitigation required.

The LVIA identifies the following effects to landscape character:

- During the construction phase moderate-minor adverse residual effects to Landscape Character Area (LCA) 1: Margam Marsh and LCA6: Mynydd Brombil, Mynydd Emroch & Mynydd Dinas

- During the construction phase minor adverse residual effects to LCA3: Margam Country Park and LCA50: Port Talbot Docks and Margam Works

- During operation moderate minor adverse residual effects are predicted to LCA50: Port Talbot Docks and Margam Works and LCA6: Mynydd Brombil, Mynydd Emroch & Mynydd Dinas

- During operation minor adverse residual effects are predicted to LCA1: Margam Marsh and LCA3: Margam Country Park.

None of the residual effects to landscape character areas are expected to be significant. The assessment of impacts on designated landscapes took into

account potential impacts on the Gower National Landscape. Due to the distance of over 11km and nature of the development was considered to be impacted negligibly. A minor and not significant impact was identified to the Margam special landscape area both during construction and operation of the EAF.

This assessment of landscape impact in the LVIA is accepted as reflecting the likely residual effects of the development. The assessment reflects the nature of the development within the envelope of the existing Port Talbot steelworks. The extent of operational effects upon landscape character would be limited by the surrounding topography with the hills of Mynydd Brombil, Mynydd Emroch & Mynydd Dinas providing containing the developments landscape effects to the coastal plain. Similarly existing industry and urban form to the north and the landfill and Kenfig Dunes to the south limits the landscape effects. The effects of the Proposed Development on landscapes to the west would be mitigated by the wide expanse of Swansea Bay, which creates significant separation distances to receptors. The ES identifies that the moderate minor adverse effects identified would be predominantly contained within a maximum 3 km radius of the proposed development to the east.

The LVIA does not identify any significant visual effects during operation. This is partially due to screening locally and also due to the extent and scale of the existing industrial development in the coastal plain.

The ES identifies that there would be at most minor (not significant) effects of neutral nature for residents at Broomhill, Port Talbot this is illustrated in figure 14 below.

Figure 14: Viewpoint 9 (ES Figure 5.17c)

From the M4 moderate (not significant adverse effects) would be experienced by users. This is illustrated by view point 12 of the ES which is shown in Figure 15 below.

Figure 15: (ES Figure 12c) M4 Overbridge view

Recreational receptors would experience effects assessed as at most moderate (not significant) adverse as a result of views from Longland Lane (see Figure 16). Within Figure 16 the green area represents the outline planning parameters for the height and extent of potential development, they would not for example directly represent buildings. in close proximity and from the elevated sections of the Wales Coast Path to the east. Walkers on the Ogwr Ridgeway and Glamorgan Ridgeway Walks would experience up to moderate/minor (not significant) adverse effects from the upper deer park within Margam Country Park. Other recreational receptors would experience reduced effects at greater distances, with none greater than minor (not significant) effect of neutral nature.

Figure 16: (ES Figure 1c) View from Longland Lane

Overall, the LVIA concludes that there would be limited impacts on visual receptors in the area. Significant moderate adverse visual effects would be limited to users of Longland Lane during the construction stage. Other short-term moderate adverse effects would be experienced from the Wales Coast Path during construction, however these are considered not significant as they would be viewed as contained within the context of existing industrial development and landscape within with the development lies.

The Proposed Development will require additional night-time lighting to ensure safe conditions for workers. The proposed embedded mitigation (outlined above) would ensure that lighting is directional and likely visible only from a relatively small number of receptors to the south of the Site. The ES concluded that due to the extent of mitigation incorporated into the Proposed Development there would be no significant visual effects at night.

The LVIA has assessed as part of the future baseline two different scenarios of cumulative development. This includes a detailed discussion of the cumulative effects with other nearby projects such as the proposed Y Bryn Wind Farm, the approved metal recycling facility on land off junction 38 of the M4, the approved p-fields development within the site and the proposed sustainable aviation facility in Port Talbot Docks. These and other developments have been given full consideration in section 5.10 of the ES. The LVIA conclusion that there are no significant residual effects when considering impacts of developments cumulatively is accepted. It is noted that the development is contained and well related to the steelworks and is essentially in character with the existing development. It is visually separated from the surrounding development with the existing steelworks being perceived as its own visual element.

Planning Assessment
The residual adverse effects identified in the LVIA are agreed and are set out above. It is noted that there are significant landscape effects to users of Longland Lane to the south of the site during the construction phase and therefore not a long term impact. There also remain other residual detrimental residual adverse landscape and visual effects that will need to be considered in the planning balance when determining the application. The significant impact during construction is likely to be of short duration and overall the proposal is considered to be in accordance with the polices within the Development Plan.

Placemaking, Design and Built Environment

Policy SP21 seeks to ensure high quality design standards in all development proposals and to protect arterial gateways from intrusive inappropriate development. Policy BE1 requires that development complements and enhances the character and appearance of the site; respects the context of the site and its place within the local landscape; utilises materials appropriate to its surroundings; and incorporates appropriate landscaping. Detailed design guidance relevant to visual amenity is provided in the Authority's Supplementary Planning Guidance: Design (July 2017).

The application is supported by a Design and Access Statement (D&AS) which has been prepared by the Applicant's agent. This outlines the functional nature of the development and how the scale, layout, appearance and landscaping of the proposal respond directly to the industrial processes, engineering requirements and health and safety considerations of the development. The development is primarily designed to allow for the effective and safe functioning of the facility. The D&AS responds to the requirements of TAN12 and Planning Policy Wales and provides details of how the application seeks to provide:

> *"• Safe access and egress for staff and visitors, industrial / operational use, truck loading and emergency operators*
> *• Access from the existing main site entrance via Harbour Way*
> *• On-site landscaping / SuDS / biodiversity features where possible and safe to do so surrounding the operational site*
> *• Internal two-way access roads for safe movement of all relevant vehicles around the industrial process area*
> *• An optimal site layout which balances design and planning considerations with the overall function and operation of the proposed scheme*
> *• A drainage strategy which takes account of SuDS and responds to the operational requirements of the administration, industrial processing and truck loading areas*
> *• External lighting to facilitate safe working, operation and movement throughout the Site, taking account of biodiversity and amenity considerations*
>
> *The proposed design responds positively to the surrounding context and adheres to placemaking principles by:*
> *• Responding to environmental protection criteria relating to land, health, waste, air quality and noise*
> *• Taking into account the significance of known built and natural heritage assets and their setting*

• Avoiding any unacceptable impact on nearest sensitive environmental and residential receptors, and land uses
• Landscaping quality and avoidance of any undue visual impacts from public vantage points in the vicinity of the Site
• Being acceptable from a flood consequence perspective, taking into account the requirement for sustainable drainage and climate change resilience
• Delivering net biodiversity benefit

The proposals represent a significant step in sustainable development on previously developed land, serving as a catalyst for the long-term transformation of Port Talbot. The project will:

• Position Port Talbot as a leader in sustainable steel production, supporting the UK's goals for steel industry development and net zero emissions targets
• Sustainably regenerate an underutilised site with industrial and economic development
• Promote sustainable growth, benefiting the local economy, skills and community
• Deliver net biodiversity benefit through onsite mitigation, whilst meeting all relevant environmental protection requirements
• Safeguard the amenity and significance of all sensitive environmental, heritage and residential receptors and land uses through a sensitive design approach
• Ensure flood resilience by incorporating sustainable drainage systems and climate change adaptations
• Promote the use of alternative modes of transport and active travel, whilst also being acceptable from a highway and transport perspective."

Planning Assessment
The application and supporting statements have been referred to consultees for review. No comments directly relating to placemaking and the built environment were received from consultees or third parties.

The supporting D&AS demonstrates how the application has taken into account good design principles as established in national and local planning policy and guidance. The design of the scheme has been discussed at length during the pre-application process between the applicant, the Authority's officers and other consultees. It is viewed that this is a comprehensive scheme that balances design with the overall function of the facility.

The layout, scale, height(s) and appearance of the development, including development within the parameters for the outline element of the development, are considered acceptable in this location.

Overall the proposal is viewed to be in accordance with LDP policy SP21 and BE1 and to be in accordance with Future Wales, Planning Policy Wales and Technical Advice Note 12: Design.

Impact on Residential Amenity

Policy BE1(4) requires that development does not have a significant adverse effect on the amenity of local residents. The Authority has Supplementary

Planning Guidance (adopted July 2017) on Design which provides specific advice on how to consider residential amenity impacts in determining planning applications.

The closest residential properties are largely to the east and south east of the site, with residential properties on the following roads and residential areas being closest: West End, Prince Street, Brynhyfryd Road, Longland Lane and Eglwys Nunydd.

In relation to the proposed development's more direct impacts through overlooking, overshadowing or overbearing, it is considered that due to the size, siting and design of the proposed development that there would be no adverse impacts upon the residential amenity of the occupiers of the nearest neighbouring properties. These impacts were not assessed as part of the ES and this was agreed as part of the pre-application discussions prior to submission. This view was taken due to the separation distances to residential receptors, intervening development such as the rolling mills and major roads and the nature of the development.

Odour is another source of amenity impact which would need to comply with the requirements of Policies SP16 and EN8. An assessment of odour was scoped out of the ES. The applicant at pre-application outlined that significant emissions of odour are considered unlikely to be generated by the EAF. This issue will also be regulated by an Environmental Permit and the implementation of best available techniques (bat).

The potential impacts of the proposed development upon the residential amenity of the occupiers of the nearby properties through: noise and vibration; air quality and lighting are assessed within the following sections of this report.

As outlined the proposal in terms of its direct impact on residential amenity and odour are viewed to be acceptable and in accordance with policy BE1, SP16 and EN8.

Noise and Vibration.

Policy SP16(3) seeks to ensure that developments do not increase the number of people exposed to significant levels of pollution. Policy EN8 seeks to prevent proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk due to noise pollution. Policy EN10 seeks to protect designated quiet areas in the County Borough.

The predicted noise and vibration impacts of the development are detailed in Chapter 7 of the ES. The chapter draws on noise and vibration assessments undertaken by appropriate consultants that assess both the operational and construction impacts of the development. The noise assessments are informed by baseline noise surveys that have been undertaken to establish the existing acoustic environment and soundscape. The application is supported by an outline Construction Environmental Management Plan (CEMP). The approach

to assessing noise and vibration was discussed with the applicant and their consultants during pre-application discussions. The Authority has instructed a noise consultant to participate in these discussions, who has also reviewed the information submitted with the application.

The following were scoped into the assessment:

- Noise and vibration from the construction activities;
- Noise and vibration from heavy goods vehicle (HGV) movements associated with construction activities;
- Noise from road traffic vehicle movements associated with the operation of the Proposed Development.
- Noise from rail traffic vehicle movements associated with the operation of the Proposed Development.
- Noise from the operation of the Proposed Development.

The impact of vibration during the operation of the development was considered negligible due to the characteristics of the development and distance to sensitive receptors. Freight vehicle movements via the port was also scoped out of assessment as the development is not intended to receive deliveries through the port.

A limited study area in line with national guidance reflecting the scope of the assessment was agreed with the applicant at pre-application. Five nearest sensitive residential receptors were considered, these were properties at West End, Prince Street, Brynhyfryd Road, Longland Lane and Eglwys Nunydd. Additional receptors were as follows: SSSIs at Margam Moors and Eglwys Nunydd Reservoir and quiet areas at Vivian Park and Talbot Memorial Park. The ES sets out methodology and noise assessment criteria, which are viewed to be acceptable.

For both construction and operational phases the assessments have limitations which are set out in the ES from paragraph 7.4.25 onwards. It notes that the assessment assumes standard construction techniques would be used, but that the final technology selection and construction programme would be determined by the applicant and their contractors. To address this limitation construction activities are assessed using an estimate of the expected noise levels over a representative period, in accordance with industry best practice.

As information related to the construction programme, phasing and specific plant items has not been provided and noise will vary over the construction programme. The ES suggests that a detailed construction noise and vibration assessment should be submitted. The submitted assessment is based on construction activities taking place during daytime (07.00–19.00 Monday to Friday, 07.00–13.00 Saturday) only with no work on Sundays or Bank Holidays. The ES states that further detailed assessments will be required if evening or night-time construction is expected. The suggested approach it is considered will need to be secured by an appropriately worded planning condition.

Similarly the ES (paragraph 7.4.28) states that at this stage in the design, specific noise source data is not available for all of the proposed operational plant and equipment. To inform the operational phase assessment, prospective equipment suppliers have provided information regarding the expected plant/equipment installations, including typical sound emission data. The resulting information has been used as part of the assessment to demonstrate that a workable solution can be achieved which does not result in significant adverse effects.

The operational assessment methodology requires specific locations to be modelled for operational phase noise sources, which has been achieved by producing a sound propagation model of the Proposed Development drawings and 3D design model. The propagation model is an approximation of the design drawings and 3D model with the inclusion of noise source assumption data. Noise data, positioning and dimensions of specific sound sources are proportionate to the level of information available. The source assumptions and design assumptions used to inform the assessment are required to be verified during the detailed design of the Proposed Development to ensure that any changes to the design or proposed plant and equipment do not impact the assessment conclusions provided within the ES chapter. The ES suggests that this should be secured through an appropriately worded planning condition.

In relation to construction noise and vibration the ES takes a worst case assessment of the noise likely to be generated from the anticipated activities.

The anticipated activities are as follows:

- Task 1 Demolition works (demolition, internal building demolition, foundations and substructure works);
- Task 2 Piling works (piling will be required for the construction of the proposed commercial and industrial uses it is estimated that around 3,000 piles are required);
- Task 3 Earthworks (site preparation, ground remediation, earth works and landscaping);
- Task 4 Civil enabling works (road works);
- Task 5 Concreting works (building erection and superstructure works it is noted that this will involve an estimated 65,000m3 of reinforced concrete);
- Task 6 Structural steel erection work (building erection, superstructure works, construction and fit-out);
- Task 7 Mechanical erection work (building erection, superstructure works, construction and fit-out); and
- Task 8 Electrical work (construction and fit-out)

The ES sets out that construction noise predictions are considered worst case, as they assume all plant within a given construction task are undertaken at the shortest separation distance from the receptor. The ES identifies that in reality, this is unlikely to be the case, therefore noise levels and associated impacts are likely to be lower than those predicted are. Tasks 1, 2 and 3 as identified above

were considered to have potential to give rise to vibration, but the 500m distance to receptors is such that this is likely to be negligible.

Assessing traffic noise considered the change in ambient noise levels at existing receptors as a result of changes in the 18-hour average annual weekday traffic (AAWT) traffic flows between the potential future traffic flows with and without the construction traffic. Details of operational phase noise emissions for the scrap handling facility and for the EAF that have been used to inform the ES are provided in Appendix 7.1 and Appendix 7.2 respectively and are considered to represent a typical worst case scenario. Assumed operational road traffic and rail noise are also detailed in the supporting Appendices. It is noted that aspects of construction such as the driving of up to 3000 no. piles has the potential to generate impacts.

The assessment of noise is based on the established, interim and future baseline, used throughout the ES and defined earlier in this report. It notes in the interim baseline that noise will have been reduced with the shut down of the heavy end and steel making. This would be particularly the case for receptors located close to this activity such as West End and Prince Street.

The applicant undertook baseline monitoring of noise in 2018, 2019 and 2022. In discussions it was agreed that the 2022 monitoring would be representative of the acoustic environment. The ES and noise assessments set out that within this baseline data from 2022 the steelworks is operational with the heavy end operating. The methodology used a proxy location to assess background noise levels. The approach was discussed with the Authority's noise consultant and it was considered that the approach taken was acceptable. The statistical analysis of the data collected at the proxy measurement position resulted in background sound levels of 51 dB $_{LA90}$, 1 hour and 38 dB $_{LA90, 15\ minutes}$. These are considered representative of the background sound level for both daytime and night-time, respectively.

The applicants have submitted a draft Construction Environmental Management Plan (CEMP) which would seek to minimise the impacts of the construction phase of the proposed development upon the immediate and wider surrounding area. Due to the uncertainty regarding the construction programme it is considered that the CEMP should be informed by a further construction noise and vibration assessment secured by a planning condition as suggested in the ES.

The Proposed Development will implement an operational Noise and Vibration Management Plan (ONVMP) which will include details of the Proposed Development noise control strategy. The ONVMP will allow for ongoing clarification and optimisation of the mitigation strategy required for the Proposed Development. Table 2 contains details of the noise mitigation to be secured in the ONVMP which would need to be secured in a planning condition.

Element	Summary of control measures
Scrap handling facility	Up to 15m high noise control barrier; Shear enclosure – indicative reduction 20 dB;

Element	Summary of control measures
	Shredder localised barrier or enclosure – indicative reduction 10 dB; Non-ferrous localised barrier – indicative reduction 5 dB; and Hammer mill / shredder enclosure – indicative reduction 15 dB. These measure will be optimised through development of the ONVMP at detailed design, with final measures ensuring impacts are no greater than those presented within this document
Existing BOS Plant Building	Strategic enhancement of existing BOS building façade cladding (to become the EAF building) to a total effective weighted sound reduction index of 48 dB Rw1. This measure will be optimised through development of the ONVMP at detailed design, with final measures ensuring impacts are no greater than those presented within this document. This may include internal EAF enclosures (a 'doghouse') or a combination of internal enclosure and/or strategic cladding.
Continuous Steel building	Optimized cladding ranging from 28-48 dB Rw.
Compressor house	Enhancement of building façade cladding to a total effective weighted sound reduction index of 48 dB Rw.
Louvers	Louvers assumed to be a minimum of 300 mm deep, single bank and acoustically treated to achieve a minimum of ~20 dB Rw1.
Access routes / doors	All access doors assumed to be acoustically treated to achieve a minimum of 30 dB Rw1. Location, number and specification of access doors / openings to be determined at detailed design.
Any building not requiring specific noise control measures	External roof and wall panel system used to achieve a minimum of 28 dB Rw.
Main fan / blower	Enclosure performance of 45 dB Rw2; and Inline attenuator3.
MHS booster fan	Enclosure performance of 35 dB Rw2; and Inline attenuator3.
LF Fan	Enclosure performance of 47 dB Rw2; and Outlet attenuator3.
Temporary boilers	Enclosure of temporary boiler required limiting noise source emission level to a maximum of 86 dB LwA or 68 dB LAeq, T at 10m distance.

Table 2: Embedded mitigation measures (ES Table 7.14)

The construction noise assessment considers the guidance within BS5228+A1:2014 – Code of Practice for Noise and Vibration Control on Construction and Open Sites. The ES concluded based on high receptor sensitivity for residential dwellings and a 'small' impact magnitude for construction phase noise levels, that this would represent a minor temporary adverse effect, which is not significant. Additionally, based on a 'medium'

receptor sensitivity for SSSI receptors and a 'negligible' impact magnitude, for the construction phase noise levels, this would represent a negligible temporary adverse effect which is not significant. Vibration during construction and construction traffic were determined to be a negligible adverse effect which is not significant.

The operational noise assessment is provided and assessed in accordance with guidance in BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound. The methods are outlined in detail in the ES and supporting noise assessment and have been reviewed by a noise consultant on behalf of the Authority.

The overall predicted rating levels are shown to be significantly below the background sound level (dB $L_{A90, T}$) during the daytime at all sensitive receptors. During the night-time, the predicted Proposed Development rating levels are below the background sound level at R5 (Eglwys Nunydd). According to BS 4142 this is an indication of the specific source having a low impact, depending on the context. The Proposed Development night-time results exceed the background sound level (dB $L_{A90, T}$) by 1 dB (R4 Longland Lane), 2 dB (R1 West End), 4 dB (R3 Brynhyfryd Road) and 5 dB (R2 Prince Street). A difference of around +5 dB is likely to be an indication of adverse impact, with a difference of +10 dB or more likely to be an indication of significant adverse impact, depending on context.

Due to these results, a contextual assessment has been undertaken as part of the ES (detailed in paragraph 7.8.17). Twelve contextual considerations are identified in this section. Including factors such as scrap handling already being undertaken at the site during both the day and night; the existing site operating similar mobile plant activities in the day and night; that the individual noise events would be below the threshold in bedrooms during the night time; that all sensitive receptors are subject to levels above 50 dB L_{AFmax} on a regular basis. When the specific sound levels are compared with the prevailing average ambient sound levels, the specific sound levels are shown to be at least 10 dB below the average ambient sound levels at each Noise Sensitive Receptor aside from R3 (Brynhyfryd Road). This indicates that the Proposed Development would not contribute to the average ambient sound levels at the receptors. At R3, the Proposed Development specific sound levels are shown to be 9 dB lower than the prevailing average ambient sound levels. This indicates that the Proposed Development would result in a less than 1 dB increase in ambient sound levels at R3. The worst case noise scenario has improved since pre-application due to the applicant having more information on the sources of noise from the technology used in the development.

The ES states at paragraph 7.8.20 that:

> *"Therefore, based on a 'high' receptor sensitivity for residential dwellings and a 'medium' impact magnitude for operational phase noise levels, this would represent a moderate adverse effect, which is significant. However, based on the consideration of the context of the Site as described in Paragraph 7.8.17 above, specifically the less than 1 dB increase in ambient sound levels,*

professional judgement has been applied in line with Table 7.13, and the effect is considered to be not-significant."

Adverse effects to SSSIs, quiet areas and from operational traffic from noise and vibration are agreed to be negligible and not significant. Cumulative projects have been appropriately identified and assessed and effects of noise and vibration are considered negligible.

As outlined above the noise assessment has been undertaken while the 'heavy end' has been operational and a proxy site has been used in the assessment. The ES states that following the heavy end shut down a further quantitative baseline sound survey is to be undertaken. The results of this will inform an Operational Noise and Vibration Management Plan and Proposed Development noise control strategy. The clarification of the acoustic environment will allow for the refinement of the mitigation strategy required for the proposed development. A planning condition can be used to secure this and a refined design and mitigation strategy.

The situation at the site when the noise assessment was being prepared with the heavy end operational created limitations in the noise assessment. The current assessment is a worst case assessment with the heavy end operational. It is considered subject to appropriate conditions and in the context of the noise characteristics of the area that the noise impacts are likely to not be significant.

The applicant has submitted a Soundscape Assessment (Appendix 7.4), which was requested by Natural Resources Wales. This concluded the following on residual impacts on soundscape:

"…the Proposed Development will have either a slight positive impact on the soundscape across the area, in the form of a quieter noise contribution from industry, or no impact at all due to the distances involved (between sound emission points and receptors).

At locations where there is likely to be a positive impact, the character of noise within the soundscape (i.e. types of sounds audible or present) will be similar between those experienced at baseline, interim and the future. The Applicant, through its Proposed Development, does not have control over external sources in the baseline soundscape to change the character of sound experienced at baseline, however the Applicant has reduced the magnitude through the Proposed Development design (see Section A7.4.1.9)."

The assessment of soundscape acknowledges the limitations in assessing this issue in the appendix particularly a lack of public engagement during consultation.

Planning Assessment

The information submitted with the application has been reviewed by the Authority's noise consultant. They requested clarification on a number of points that were addressed by the applicant. In their view the assessment provides a sound basis for the Authority to make an informed view on the noise impacts arising from the development. Additionally the issue of noise is addressed in

the representation from Natural Resources Wales. They note the limitations in the assessment and the requirement for additional information to be provided through condition. They note that there may be an impact from the future demolition of the 'heavy end'. They also identify areas such as soundscape where they will require additional information as part of the Environmental Permitting process for the site.

The assessment was undertaken while the 'heavy end' was operational and the noise that this generates is included within the baseline assessments. Following the closure there will have been a change in the background noise levels at the site. The supporting information demonstrates that construction noise will not give rise to significant effects, but will require a more detailed assessment reflecting a detailed construction programme and appropriate mitigation through a CEMP. The applicant has shown that night-time operational noise exceeds the background sound level by up to 5 dB $_{LA90, T}$. Guidance indicates that +5dB is an adverse effect depending on the context. The applicant has provided a contextual assessment that demonstrates that this would not be unacceptably adverse to residential receptors due to the site context. The Authority's consultants advises that the contextual assessment (paragraph 7.8.17) "provides justification based on contextual analysis which, in my view, is robust and sets out acceptable contextual discussion to justify a +5dB above BG rating level. It is noteworthy to highlight the increase in ambient noise from the proposal is only expected to be 1 dB higher than existing, which is deemed 'not significant'."

The conclusion that there are no significant adverse residual noise and vibration effects is accepted. There remain minor residual effects to residential receptors from noise during construction and moderate residual effects to residential receptors during operation. Other residual effects are negligible.

Having regard to the assessment undertaken by consultants appointed by the Authority, and the responses of the Natural Resources Wales and other consultees. It is considered that the mitigation, via the use of planning conditions, of the effects of the development with regard to noise and vibration are appropriate and proportionate. Subject to securing the mitigation, the information submitted in support of the application demonstrates that there will be no significant adverse effect from noise and vibration, as such there will not be an increase in the number of people exposed to significant levels of pollution. The proposal is viewed to be in accordance with Policy SP16 and would not give rise to an increase in the number of people exposed to pollution. The noise and vibration effects identified, in the context of the residential receptors, site and development, would not give rise to an unacceptable adverse effect on health, biodiversity or local amenity or expose people to an unacceptable risk which is in accordance with Policy EN8. The proposal would not unacceptably impact quiet areas in accordance with Policy EN10. The proposal is reasonably in accordance with Planning Policy Wales and TAN 11: Noise. While considering that the proposal is in reasonable compliance with the identified policies, the adverse residual effects identified would need to be considered in the planning balance when determining this application.

Air Quality

Policy SP16(1) seeks to protect the environment by ensuring that development does not have any significant adverse impact on air quality. Policy EN8 seeks to prevent proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk due to air pollution.

ES Chapter 6 contains an assessment of the likely significant air quality impacts from the development. The assessment approach is outlined as follows in paragraph 6.4.1:

- Established baseline characterisation of local air quality;
- Qualitative assessment of fugitive dust and emissions from construction related activities;
- Qualitative assessment of fugitive dust and emissions once the Proposed Development is operational;
- Assessment of changes in road and non-road transport emissions, and industrial emissions, attributable to the Proposed Development whilst it undergoes construction and once operational;
- Screening and assessment of cumulative effects;
- Recommendation of mitigation measures, where appropriate, to ensure any adverse effects on air quality are minimised; and
- Identification of residual impacts resulting from the Proposed Development.

The assessment uses the established, interim and future baseline as the basis for assessment (as outlined in the description of development above). The ES identifies the potential effects on air quality associated with the construction and operation of the proposed development. It describes the relevant air quality legislative and policy context and presents the methodology used in the assessment of the proposed development. The assessment assesses the existing air quality conditions in the vicinity of the proposed development and likely changes that would arise as a result of the construction and operational phases, including potential effects on designated wildlife sites and on human health. Mitigation measures are proposed which (where necessary) would be implemented to reduce the effect of the proposed development on air quality. The air quality assessment is supported by a number of technical appendixes and figures.

The main sources of pollutants to air associated with the proposed development are identified as:

- construction dust
- construction traffic
- operational plant
- operational traffic
- combined effects of operational traffic and plant emissions.

A total of eight scenarios have been modelled to assess air quality impacts from road traffic and industrial emissions between construction and operational phases (compared to both established and interim baselines). The assessments take into account the following mitigation measures:

- The use of best available technology in the proposed state-of-the-art EAF facility.
- Demolition and construction effects will be mitigated through a Construction Logistics Plan (CLP) and Construction Environmental Management Plan (CEMP).
- An annual air quality management plan for the operational phase of the development, taking into account the requirements of the updated Environmental Permit to be sought from NRW.

In relation to construction dust, the assessment of construction dust has been carried out following IAQM 2024 guidance by assessing the magnitude of impact from earthworks, demolition, construction and trackout and identifying the risk of impacts at sensitive receptors within 350m of the works or 500m of site entrances in relation to trackout. The full method of assessment has been detailed in the ES Chapter and Appendices. Appendix 6.4 contains a range of construction dust mitigation measures that will be incorporated into a Demolition Management Plan and a Construction Environmental Management Plan. Taking into consideration the dust emission magnitude and the sensitivity of the area, the development has been assessed as having a negligible (short term minor adverse) not significant impact on both human and ecological receptors. The assessment identified a minor adverse effect during adverse weather.

The significance of effects are assessed against the established baseline of the operational steelworks with the heavy end operational. Effects from emissions generated from industrial and road traffic are considered likely to remain short- to medium-term, local, and either negligible or beneficial (and thus ‘not significant’) on air quality at existing human receptor locations and (in comparison to critical levels and for the acid deposition relative to the critical load) designated ecological sites.

The ES goes onto assess potential operational phase effects. The processing of scrap for use in the EAF is expected to be the main source of fugitive dust once the Site is operational. Once trains arrive at the scrapyard, the process will involve tipping scrap into stockpiles, shredding, screening, further stockpiling, ready for onward transport. The shredding and shearing processes are fitted with wet scrubbing and bag filter technologies, which will prevent emissions to air.

The EAF facility itself will also generate dust. Primary dust is generated directly from the EAF and is drawn through the scrap charge in the hot waste gases to pre-heat it and recover energy and then transferred into the ducting above the plant and into the Fume Extraction Plant (FEP). Fugitive dusts, often called secondary dust, within the EAF building are extracted via a canopy located in the roof of the plant. This extraction is also transferred to the FEP and mixed

with the primary waste gas stream. Further dusts are generated from the materials handling system and the ladle furnaces, which are also transferred to the FEP. The FEP contains bag filters that remove dust from the air with a very high efficiency. Fugitive dust from the Site, including any other processes proposed, will continue to be controlled by the existing Air Quality Management Plan, which will be modified to cover EAF operation. The Site is regulated by an Environmental Permit issued by Natural Resources Wales, which will require variation due to the proposal. Owing to the mitigation measures proposed, potentially significant effects have been scoped out from further assessment.

During the operational phase the development would have potential impacts on human health and ecological receptors. For human health receptors the assessment took in NO_2, SO_2, CO, Hg, B[a]P, Pb, Cr and Dioxins & Furans, PM_{10} and $PM_{2.5}$v Ecological: changes to NOx, NH3 and SO2 concentrations; nutrient nitrogen and acid deposition

The proposed development has been classified as 'Medium risk' to dust soiling and 'Medium risk' to human health impacts from demolition and as 'Low risk' to dust soiling and 'Low risk' to human health impacts from earthworks, construction and trackout. At worst, the site would be classified as 'Medium risk' overall.

Planning Assessment
The information submitted with the application has been reviewed by a consultant acting on behalf of the Authority. At their request the applicant provided clarification related to management of dust during construction, the approach to sensitivity testing, dioxins and furans and assessment against the interim baseline. The Authority's air quality consultant has reviewed the information and the methodology and results are accepted as presented above.

Natural Resources Wales has commented on air quality. They state that:

> *"We would expect the use of relevant BAT (see above) to minimise emissions and air quality impacts from the proposed development. The selected EAF design featuring a 'flat bath' furnace and continuous lateral charging of scrap metal should minimise air emissions and noise compared to a traditional, batch fed EAF design.* ***If operated correctly in combination with air emissions abatement systems that meet BAT, this should result in very low emissions and minimal local air quality impacts from the main steel production process.***
>
> *It is noted that EAF de-slagging, EAF material handling systems and scrap metal shredding and shearing activities will benefit from new emissions control systems, which indicates use of relevant BAT to control air emissions. This would be assessed in detail during the environmental permitting process."*

They note that the full detail of the slag processing has not been provided, but that this will be regulated and controlled by the environmental permitting regime. NRW further notes that Air Quality Management Plans (AQMPs) are required by the applicant's permit and the steelworks contractor permits. Revised AQMPs will be required as part of the revised permit for the site.

Having regard to the submission of expert consultants appointed in support of the application and the responses of the Natural Resources Wales and other consultees. It is considered that the mitigation, via the use of planning conditions, of the effects of the development with regard to air quality are appropriate and proportionate. Subject to these conditions, the information submitted in support of the application demonstrates that there will be no significant adverse effects on air quality and that there will not be an increase in the number of people exposed to significant levels of pollution. This is sufficient to demonstrate compliance with Policy SP16. The information is also sufficient to demonstrate that there is no unacceptable adverse impact on health, biodiversity, amenity or exposure of people to air pollution – this is in compliance with Policy EN8. The proposal is also viewed to be in compliance with the Pollution SPG (October 2016) and national planning policy and guidance in Future Wales and Planning Policy Wales

Lighting

Policy SP16(1) seeks to protect the environment by ensuring that development does not have any significant adverse impact on pollution levels. Policy EN8 seeks to prevent proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk due to light pollution.

A light Pollution Study and Lighting Plan has been prepared by Tata Steel in collaboration with a lighting specialist and submitted in support of this planning application. Exterior lighting is required at the site to allow for safe access and use of the area by employees and visitors. The design and its likely effects have been assessed in the LVIA and ecology assessments supporting the application. No unacceptable adverse lighting impacts have been identified.

In terms of lighting impact the proposed development, subject to agreement of a detailed lighting plan through planning conditions, the proposal accords with Policy EN8 of the LDP, as well as the Pollution SPG (October 2016).

Impact upon the historic environment

Policy SP21 seeks to protect the heritage of the County Borough by safeguarding features of historic and cultural importance. National policy in Future Wales, Planning Policy Wales and Technical Advice Note 24: The historic environment.

The effects of the proposal on cultural heritage are detailed in ES Chapter 11. This chapter identifies the potential effects on transport associated with both the construction and operation of the proposed development. It starts by setting out the policy and legislative context associated with this topic area. It then undertakes an assessment of the impact of the development during construction and operation of the development.

The assessment identifies that the proposed development has the potential to

physically and permanently adversely affect historic assets during construction. Buried archaeological deposits and palaeoenvironmental remains, if present, may be damaged or destroyed by construction groundworks and other activities. Permanent minor adverse (non-significant) effects are predicted on two non-designated historic assets during construction of the Proposed Development: Morfa Colliery (421174) and Theodrics Grange (20041), as well as upon archaeological potential for hitherto unknown remains that may be discovered during evaluation or construction. Mitigation through preservation by record is proposed, which would reduce the residual effect to neutral (not significant).

In the operational phase of the Proposed Development, moderate adverse residual effects (not-significant) are predicted on seven designated historic assets: Chain Home Low Radar Station (GM488), Landscape around Half Moon Camp (GM477), Margam Abbey (GM005), Mynydd y Castell Camp (GM162), and Margam Park Conservation Area (151) and Registered Garden (PGW(Gm)52(NEP)), and Hen Eglwys (GM163). A minor adverse residual effect (not significant) is predicted on the designated historic assets Henbiniwn (00740w). Negligible adverse (non-significant) residual effects are predicted on the non-designated historic asset Morfa Colliery (421174) and Theodrics Grange (20041).

Planning Assessment
The application has been referred to Cadw and Heneb (formerly Glamorgan Gwent Archaeological Trust). Cadw in their response state:

> *"The conclusions of the reports assessment are that there will be a moderate (but not significant) effect on the settings of these designated historic assets. We concur with this conclusion, the proposed development will not have any significant effect on the way that the above designated historic assets are experienced, understood and appreciated and will not have an unacceptably damaging effect upon the settings of any of the above designated historic assets."*

Heneb have responded that appropriate archaeological mitigation can be secured through the use of a Written Scheme of Investigation (WSI). This can be secured by a planning condition.

It is considered that the applicant's assessment is a reasonable assessment of the likely impacts arising to cultural heritage. There are no significant effects identified and the non-significant effects will need to be given appropriate weight in decision making. Subject to conditions securing a WSI, the proposal is viewed to appropriately safeguard heritage. The proposal will have an acceptable historic environment impact and is in accordance with LDP policy SP21 in this respect. The proposal is also viewed to be in accordance with national planning policy within TAN24: The Historic Environment, Planning Policy Wales and Future Wales.

Traffic and Transport

LDP policy SP20 is a strategic policy which includes criteria seeking to: restrict

development which would have an unacceptable impact on highway safety; requires appropriate parking provision; and requires safe and efficient access and promotion of sustainable transport. LDP policy TR2 identifies that proposals will only be permitted where: there is no adverse impact on highway safety or unacceptable levels of traffic generation; there are appropriate levels of parking and cycling facilities provided. The development has to be accessible by a range of travel means, including public transport and safe cycle and pedestrian routes. The LDP is supported by a Parking Standards SPG (October 2016), which gives guidance on the level of parking required from new development. PPW 12 states that "It is Welsh Government policy to require the use of a sustainable transport hierarchy in relation to new development, which prioritises walking, cycling and public transport ahead of the private motor vehicles".

The assessment of the effects of the proposed development in respect of traffic and transport is set out in Chapter 12 of the ES. This chapter identifies the potential effects on transport associated with both the construction and operation of the proposed development. It starts by setting out the policy and legislative context associated with this topic area and the methods used in assessment.

The ES defines a study area for the Transport Assessment which was informally agreed with NPTC during pre-application discussions and comprises the following junctions:

- M4 Junction 41 (A48 Heilbronn Way, A48 Pentyla-Baglan Road, B4286 Heilbronn Way, Car Park Access);
- A48 Heilbronn Way, Car Park Access, A4241, Water Street;
- A4241, Industrial Unit Access, Harbourside Road, Industrial Unit Access (West);
- A4241, A4241 Harbour Way, North Bank Road;
- A4241 Harbour Way, Oakwood Road, Llewellyn's Road;
- A4241 Harbour Way, Port Talbot Steelworks West Gate Access;
- A4241 Harbour Way, Port Talbot Steelworks Main Gate Access;
- A4241 Harbour Way, A48 Margam Road, Access Road; and
- M4 Junction 38.

As discussed in the description of development the proposal uses the established, interim and future baseline. Although scrap metal will be delivered to the Site post construction, it is intended that it will be delivered to and from the Site by rail. The applicant sets out that in the ES (paragraph 12.4.4) that delivery by road would no longer be viable and that it would not support the Applicant's plan to reduce its carbon footprint. On this basis and having regard to the reduction in staff as well as coal deliveries from the network, the ES confirms that the proposed construction and operational phase of the development will result in a significant reduction in traffic movements when compared to the established baseline position.

The ES identifies mitigation including the Applicant developing a Travel Plan, routing HGVs via M4 Junction 38, and therefore avoid Port Talbot, through the

implementation of a Construction Traffic Management and Routing Plan; and signage will be introduced on exit from the Site with repeater signage located just before the roundabout to advise all construction workers when travelling to the M4 to route south to avoid congestion in Port Talbot.

Effects on transport during the construction phase and the operational phase of the Proposed Development were determined as being below the level requiring assessment when measured against the established baseline. The assessment results for both the operational and construction phase are set out below:

- Driver delay – negligible beneficial;
- Public transport users – negligible beneficial;
- Pedestrian delay – negligible beneficial;
- Pedestrian amenity – minor beneficial or negligible beneficial;
- Fear and intimidation – minor beneficial or negligible beneficial;
- Severance – negligible beneficial; and
- Accidents and road safety – negligible beneficial.

None of these effects were considered to be significant. The assessment also noted that the construction effects would be shorter term. The assessment used traffic flows for cumulative development agreed during pre-application to assess cumulative impact.

The application includes a parking area next to the proposed office building, this incorporates spaces for charging electric vehicles and also disabled spaces. The site is distant from the public highway network and served by existing accesses that have been used for many years with the existing higher volumes of traffic to and from the steelworks.

The application includes details of offsite active travel works on land in their ownership and control. The applicant has agreed they will undertake agreed works to upgrade access provision to the National Cycle Network 4 (NCN4) where it crosses Cefn Gwrgan Road in Port Talbot. The agreed works comprise replacing the guardrails with bollards to facilitate improved disabled access. The applicant's Planning Statement outlines that the agreed works will be implemented in full by Tata Steel prior to the end of the 2027 calendar year and will be secured by condition of any permission issued.

Planning Assessment
The application was referred to NPT highways as the local highways authority and the Welsh Government as the body responsible for the M4 Motorway. Welsh Government has advised that they do not issue a direction in relation to this application and have offered no further comment on the application.

NPT highways have commented as follows:

> *"In principle, I have no objection to the proposals demonstrated within the 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 'sustainable' methods of travel to work.*

As demonstrated within 'Chapter 12, Transport and Access' and the "Transport Assessment – CT/210634/TA/06" 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, from July/ August 2025, 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.

Overall the proposal is accessible to a range of transport means and is also served by large capacity major roads. It contains appropriate levels of parking in accordance with the Authority's standards. There are no objections to the application from the local highways authority and it is considered that the proposal is reasonably in accordance with Policies SP20 and TR2."

The proposed development is intended to result in a modal change in the transport used by the steelworks business. The application suggests that the docks in Port Talbot will no longer be used and that much of the main raw material, scrap metal, will be transported to the site by rail. The application was referred to Network Rail, who advised that they have no objections to the proposal and have only commented on the need to safeguard and agree works close to track infrastructure due to the presence of old mine entrances.

The impacts set out are agreed with. It is considered that conditions will be required to regulate construction traffic, signage and also to secure the provision of parking and EV charging provision and off site active travel improvement. It is agreed that there will be a reduction in the traffic and transport impacts when compared to the established baseline situation. The reduced impacts support the view that the proposal is in compliance with Policies SP20 and TR2.

Ecology

Policy SP 15 Biodiversity and Geodiversity sets out how important habitats, species and sites of geological interest will be conserved and enhanced. Policies EN6 and EN7 require any impacts on biodiversity/ natural features to be appropriately assessed and, where applicable, mitigated. Planning Policy Wales Chapter 6 sets out a Biodiversity and Resilience of Ecosystems Duty which incorporates the DECCA framework and step wise approach to assessing the acceptability of development.

The ES sets out the impacts on biodiversity within Chapter 8. The chapter identifies the potential effects on biodiversity associated with the construction and operation of the proposed development. It describes the relevant ecological legislative and policy context and presents the methodology used in the assessment of the proposed development.

The following surveys / assessments were undertaken in support of the application with details provided in supporting appendices to the ES:

- Desk based assessment
- Preliminary ecological appraisal
- National vegetative classification survey
- Invertebrate surveys
- Badger walkover survey
- Breeding birds survey
- Wintering birds survey
- Bats – preliminary roost assessment – trees
- Bats – preliminary roost assessment – buildings
- Bats – emergence survey
- Bats – activity surveys
- Great crested newt survey
- Reptile survey
- Water vole and otter survey
- Dormouse survey
- Fish

In addition, a Net Biodiversity Benefit report has been undertaken, which includes a review of established baseline and post development designs to assess the predicted biodiversity loss and gains that would result from the Proposed Development. A report to inform a Habitats Regulation Assessment has also been prepared, assessing the potential impacts on internationally designated sites.

The assessment scoped in the following for assessment within the ES:

- Statutory designated sites (within 1 km of the Site: Eglwys Nunydd Reservoir SSSI, Margam Moors SSSI);
- Non-statutory sites (NPT Watercourses SINC, Eglwys Nunydd SINC, Junction 38 Wetland Complex SINC);
- Coastal floodplain grazing marsh;
- Open mosaic habitat (scrub and ephemeral);
- Other habitats;
- Invertebrates;
- Reptiles;
- Breeding birds;
- Wintering birds;
- Foraging/commuting bats; and
- Invasive non-native species.

Effects for species and habitats from the proposed development were identified via the following mechanisms:

- Direct effects associated with habitat loss or damage;
- Direct effects on protected species associated with resting place

destruction, killing or injury of individuals;
- Indirect effects on habitats and species associated with dust, emissions, siltation, leaks and spillages;
- Indirect effects on protected species associated with disturbance; and
- Indirect effects on protected species through pollution of habitats/ watercourses affecting food sources.

Each ecological receptor was assessed for its importance and potential effects identified. For example for the nationally important SSSIs above a potential impact pathway was identified due to increase in possible air pollutants from both construction and operation of the Proposed Development. Disturbance from increased lighting during construction and operation. This could have indirect effects on habitat and associated species within the SSSIs. The potential effects are identified in Table 8.13 of the ES and summarised in Tables 10 and 11 of this report.

During the construction period there would likely be a small increase in disturbance to statutory designated and non designated sites for the construction period. The appropriate lighting design, reduction in emissions and appropriate construction techniques (secured in a CEMP) would reduce other impacts.

There would be a temporary loss of coastal floodplain grazing marsh of 0.76 hectares in the southern grazing fields due to works to install the electrical cable. This is assessed as being in poor condition but is ecologically linked to the neighbouring Margam Moors SSSI there would be a direct, short term, temporary adverse effect. This effect the ES outlines would be effectively mitigated through the proposed ecological management and enhancement of the fields, the use of a CEMP and an ecological clerk of works.

The proposal would impact on habitats that primarily include open mosaic habitat, 4.31 ha of this habitat would be lost during construction. A bespoke habitat creation scheme (as set out in the supporting LEMP) sets out proposals for the creation of new open mosaic habitat with bunds using soils sourced from within the Site and therefore containing a local seed bank. The majority of the blue line boundary (land under Tata Steel UK Limited (Tata Steel) ownership) would continue to be maintained in its entirety together with a suitable protective buffer and this, together with the proposed enhancement scheme in the southern fields, would continue to provide foraging habitat for bats and breeding/foraging habitat for birds. Reptiles are present on-site and impacts will be mitigation by precautionary working method statements and an Ecological Clerk of Works. These should ensure any construction works would have no negative impact on the on-site reptile population.

The operation stage is not considered likely to cause any additional negative effects on ecology after mitigation.

The application is supported by an arboricultural impact assessment. This states that due to the outline area of the development being the location where

trees are present, that there is uncertainty over the removals shown and what is assessed is a worst case scenario. The assessment notes that the trees are isolated from public access and the compensation for the loss of trees is more a matter of biodiversity compensation than amenity. The compensation for loss of trees is detailed within the LEMP, the landscape proposal plans and the Biodiversity Net Benefit report.

The assessment also took into account cumulative impacts with other proposed and consented development in the local area.

The application is supported by a standalone Stage 1 Habitat Regulations Assessment Screening Report. The assessment looks in detail at the Kenfig / Cynffig Special Area of Conservation (SAC) located 1.4km to the south of the application site. Other Internationally designated sites within 10km are identified but assessed to have no credible impact pathways to the development.

In relation to Kenfig SAC the application site is not hydrologically linked to Kenfig SAC, and the site does not support any functionally linked habitat associated with the protected species under its designation. As the proposed development is industrial in nature there is considered to be no recreational impacts to the protected site.

The assessment goes onto state:

> *"There is however, potential for air quality impacts from the construction and operational works on Kenfig SAC specifically NOx deposition. The highest baseline average for NOx deposition within Kenfig SAC is 0.663 µg/m³, the dispersion modelling of the proposed development shows that the annual average will decrease to 0.0964 µg/m³ during the interim / construction period with a slight increase to 0.161 µg/m³ (still a decrease from the baseline) once the electric arc furnace is operational.*
>
> *The critical level (point at which the habitats / species would die) for Kenfig SAC is 30 µg/m³ which the current and predicted site levels are well below. The minimum critical loads for the habitats and species under the designation are between 5 and 10 kg/ha and the maximum critical loads are between 10 and 20 kg/ha. The dispersion modelling demonstrates that the predicted deposition for both construction and operation will be well within these parameters.*
>
> *The current steel works, as a coal fired furnace together with the coking works have high levels of emissions. The transition to an electric arc furnace will greatly reduce the emissions and result in 'cleaner' air for the local area.*
>
> *This impact is considered to be a positive effect in the context of the surrounding area."*

The report goes onto assess that there is anticipated to be no negative effect upon the conservation objectives or integrity of the Kenfig SAC. The site is sensitive to air quality impacts, including through deposition of atmospheric nitrogen. Atmospheric nitrogen oxide (NOx) levels may be exceeded due to proximity of several nearby sources including industrial (steelworks/chemical

works/power station), agricultural (chicken farms – ammonia), old landfill sites (methane), transport (M4) and wind-blown particulates (adjacent tips). The expected decrease in the dispersion from the steel works in the operational phase of the proposed development will have a positive effect on the overall nitrogen oxide (NOx) levels experienced by the SAC. The report then identifies potential cumulative effects with projects in the locality.

The overall conclusion is that the proposed development is not likely to have a significant effect on any internationally important designated site, either alone or in combination with any other plans or projects. A HRA Stage 2 Appropriate Assessment is therefore not required. This view is supported by NRW in their consultation response.

Planning Assessment
The application has been referred to Natural Resources Wales, to the Authority's ecologist and countryside officer (trees). The application has also been reviewed by specialist air quality and noise consultants instructed by the Authority. The ES is considered to be a reasonable assessment of the proposal's effects on biodiversity. The additional supporting information in the net biodiversity assessment and green infrastructure statement also show how the development has complied with national planning policy requirements in particular the step wise approach in Planning Policy Wales Chapter 6.

NRW has provided the following advice in relation to the impact of the proposal on protected sites:

> *"We agree with the HRA stage 1 Screening Assessment and its findings and are satisfied that no stage 2 Appropriate Assessment is required, in our opinion the long-term air quality benefits mean that it can be screened out as having no likely significant effects on any of the nearby protected sites"*

In relation to ornithological impact NRW advised that:

> *"We agree with the nature of the surveys and the survey effort undertaken to characterise the breeding and wintering bird assemblages within the application site. We agree with the assessment of the site and the mitigation and enhancement measures brought forward.*
>
> *A Landscape Environmental Management Plan (LEMP) should be conditioned to ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the sites landscape and environmental features are adequately managed long term."*

As set out above the application is supported by a set of documents that detail ecological surveys undertaken in support of the application, NRW comment as follows:

> *"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."

The application was also referred to the NPT ecologist who advised that they had no objection to the application. It is noted that the proposal was extensively discussed with the Authority's ecologist and NRW prior to submission. NRW refer to off site sea buckthorn that they note is harmful to the dune ecosystem, as it is not within the site of development the Applicant was informed of this advice, but it would not be reasonable to condition a mitigation scheme.

In light of the advice from consultees, the information provided with the application, that the proposal will have an acceptable impact on biodiversity. Conditions will be required to secure the mitigation, in particular a CEMP would be secured to mitigate potential impact on protected species and habitats during construction. The ecological mitigation and enhancement part of the development would be managed over a 30 year period and it is considered that this would need to be subject to an agreement under section 106 of the Town and Country Planning Act 1990. Subject to conditions and a legal agreement the proposal is considered to be in accordance with Policies SP 15, EN6 and EN7. It is also viewed to be in accordance with Future Wales and Planning Policy Wales.

Land, Soil and Groundwater

Planning Policy Wales (2024) sets out that the planning system should guide development to reduce the risk from natural or human made hazards affecting the land surface or subsurface. Risks to development may arise from matters such as land stability due to former mine workings or land contamination. Strategic Policy SP16 sets the context for consideration of environmental protection and requires protection and where feasible improvement of the environment. Policy EN8 sets out that development that would expose people to unacceptable risk due to contamination or land instability will not be permitted.

The site is identified as being in both The Coal Authority (TCA) (now the Mining Remediation Authority) development high and low risk areas.

The site is identified as being potentially contaminated, which reflects its long history of industrial use. A specialist consultant working on behalf of the applicants has undertaken a preliminary risk assessment prior to submitting the

application, the approach to ground investigations were discussed and agreed with the Authority's officers responsible for land contamination during pre-application discussions.

The assessment of the effects of the proposed development in respect of land soil and ground conditions is set out in Chapter 10 of the ES. This chapter identifies the potential effects on land, soil and groundwater associated with both the construction and operation of the proposed development. It starts by setting out the policy and legislative context associated with this topic area. It then details the approach to the assessment and the assessment itself.

The assessment identifies land, soil and geology receptors and their sensitivity. It identifies receptors as: geological units (marine beach deposits, tidal flat deposits, blown sands and middle coal measures), peat deposits (present in superficial deposits), mineral deposits (Marine Beach Deposits, Tidal Flat Deposits, Blown Sands (sand / gravel extraction), Middle Coal Measures), soil resources (no peat deposits were anticipated at the surface), and hydrogeology. The future baseline also detailed and how it considered climate change.

Peat deposits are varied across the Site and are all buried to a depth of 4.5 m or deeper. The available ground investigation results indicate that layers of peat of up to 1 m in thickness are present at various levels, with various additional layers of superficial deposits described as 'peaty' or 'containing peat'. As all of the peat material is buried, there are no areas of active peat present at the site and therefore are no areas of active carbon sequestration. However, all the peat material will be acting as a carbon store.

The site assessment notes that within the site of development there are contaminants associated with made ground, the area of former coke ovens, the BOS plant and coal yards, areas of storage of oils/chemicals on-site, the warehouse/engineering works, underground/above ground storage tanks and associated pipework, the scrap yard and railway lines/sidings. These could be present in shallow unsaturated soils and/or shallow groundwater/perched groundwater and potential leaks and spills from the current and former use of the Site as a steel works. Off-site there is potential for contamination in shallow groundwater/perched water and pollutants from nearby industrial processes associated with the wider steelworks to the north, Morfa Coke Ovens to the west and the railway lines bounding the Site to the east.

It is noted that part of the site was used as a colliery from approximately 1876 to 1965. A Coal Mining Risk Assessment (CMRA) was undertaken by specialist consultants. The CMRA report indicates that several named coal seams subcrop beneath the ground within the Site. The CMRA details the presence of mine workings at the site. It is understood that the proposed layout of development has already considered some aspects of the coal mining risk, which includes the positioning of sensitive plant and structures based on the applicant's understanding of the issues within the application site. The CMRA concludes that the potential hazards on site are not unusual and can be overcome with engineered mitigation.

The site is in a mineral safeguarding area (Policy M1) with respect to safeguarded coal resources in the LDP. The underlying geology is a secondary A aquifer. There are no licenses for groundwater abstraction and no designated aquifer source protection zones. The ES notes the proximity of the Bristol Channel and saline intrusion reducing the quality of the ground water.

The ES suggests that mitigation will be secured through a Construction Environmental Management Plan (CEMP), Materials Management Plan (MMP) and a Soil Management Plan (SMP). These would be secured by condition, including MMP and soils and peat management plan (SPMP)

Preliminary information only is available on land contamination and in accordance with appropriate guidance, the ES sets out that a quantitative risk assessment will determine the nature of mitigation measures required (if any) and these would be described within a Remediation Strategy (RS) document to ensure that significant adverse effects do not occur.

Remediation measures could include, if required (and assuming a worst-case scenario), removal of shallow hotspots of soil contamination and associated earthworks including application of cover soils, groundwater remediation, installation of gas/vapour membranes beneath buildings and selection of appropriate concrete and infrastructure materials. Remedial works (if required) would be expected to achieve target criteria (in soils and or groundwater) set out in the RS which would demonstrate an improvement in soil and / or groundwater quality from baseline conditions. Remedial actions would also be expected to mitigate against potential effects during construction (e.g. removal of near surface contamination, preventing mobilisation of contaminants during the installation of foundation piles). A Remediation Validation Report would be prepared to demonstrate the works had been completed in accordance with the RS. The MMP, aligned with the RS would be produced for the construction phase to allow all material types to be tracked, showing their point of origin, storage, re-use or disposal.

The site was bombed in the second world war and the majority of the site is at risk of the presence of unexploded ordnance. The applicant has completed and submitted an unexploded ordnance risk assessment that defines the likely risk and advises on mitigation measures are developed that reflect the construction methods to be used.

The ES states that during the construction phase for the development of the EAF, the embedded mitigation measures associated with standard construction management are considered sufficient to avoid impacts. Planning conditions will be required to secure specific data and risk assessments, meeting both standard guidance and legislation requirements. No significant construction phase residual effects are identified, with no additional mitigation measures required with the exception of measures to handle peat, if encountered.

During the operation phase of the EAF, the potential impacts to the identified receptors are assessed as being negligible or minor effect, as a result of

mitigation of adherence to regulatory practices and permit requirements, reducing potential impacts. As such, no significant operational phase residual effects are identified, with no additional mitigation measures required.

Planning Assessment
The ES and other supporting documents have been reviewed by relevant consultees. Including specialist officers responsible for land contamination within the Authority, Natural Resources Wales and the Mining Remediation Authority (Former Coal Authority).

In respect to land contamination there have been no objections to the development. Both the Authority's Contaminated Land Officer and Natural Resources Wales confirmed that they agree with the recommendations for an intrusive ground investigation to establish the extent and nature of contamination to inform risk assessments and a development-specific remediation strategy, as well as informing geotechnical assessment and scheme design. They also recommend including conditions that secure a Piling Risk Assessment, a materials management plan and longer term site monitoring and maintenance.

In respect to coal mining the coal mining risk The Mining Remediation Authority (Former Coal Authority) has advised that they do not object to the application subject to the imposition of conditions to secure appropriate remediation measures for the risks posed from mine workings.

While having full regard to the information submitted in support of the application; it is considered that subject to the conditions suggested by consultees that the impacts of the development to land, soils and groundwater can be effectively mitigated. Therefore, the proposal is determined to be in accordance with Policies SP16 and EN8 of the Local Development Plan and national policy within Planning Policy Wales and Future Wales.

Surface Water, Flooding and Drainage

The effects of the development on surface water, flooding and drainage are assessed in Chapter 9 of the ES. This is supported in assessing the development by a Flood Consequences Assessment (FCA) and an Outline Drainage Strategy Report. Both the supporting reports have been prepared by specialist consultants.

The chapter initially sets out the policy and legislative context associated with this topic area. It then details the approach to the assessment. The assessment identifies surface water, flooding and drainage receptors and their sensitivity. It then sets out the assessment in detail.

The management of surface water across the Application Site will reflect its industrial nature. It takes account of the contamination risk being high, medium or low across different areas of the Application Site and has been developed in pre-application discussions with the Authority. The principles of the SuDS surface water drainage strategy will be adopted, including:

- Areas of development and new facilities located on existing impermeable surfacing will be drained via the existing systems towards the on-site wastewater treatment works.

- Two main surface water systems (Clean/ Contaminated):

i. The clean water stream – this will accept surface water from areas where no contamination is anticipated; these will flow into the SuDS system and be discharged directly into designated on-site surface water bodies in the south of the Application Site (e.g. Lower Mother Ditch), where possible.

ii. The contaminated stream – this will drain surface water from high-risk process areas and direct flows within a piped system to the on-site wastewater treatment works, prior to being discharged via the Long Sea Outfall into the Bristol Channel.

A small section of an unnamed drainage channel will be diverted to accommodate the new on-site national grid compound. The channel currently drains the surface water from the land surrounding the Morfa coke ovens and Regen Yard. The watercourse diversion will run around the new facility and will remain largely open channel with some culverted sections under road crossings, where required.

The FCA describes how the site is mostly located in Flood Zone 1 of the Flood Map for Planning for Rivers. All proposed built development falls within this low-risk area. There is a small area of the southern part of the application site within Flood Zones 2 and 3. No built development is proposed within the flood risk extent. There are localised areas of surface water flooding within the site boundary, represented by Flood Zones 2 and 3. These areas will be managed by SuDS features across the site. Most of the Proposed Development will be delivered to a minimum level of 6.2m AOD, which is above the reservoir flood level (low risk). The site is at very low risk of flooding from the sea and sewer flooding. The Proposed Development is classified under TAN15 as 'less vulnerable' development.

The ES summarises the environmental effects in section 9.11. This states that the environmental effects of the proposal with regards to surface water, flood risk and drainage are assessed to be mostly negligible or minor (not significant) as a result of mitigation measures embedded in the scheme design. The assessment carried out in this ES chapter does not identify any additional mitigation measures being necessary.

The assessment did identify a moderate (significant) beneficial environmental effect for water quality to Swansea Bay Water Framework Directive Waterbody. The moderate beneficial effect results from the reduction in contaminant concentrations and discharge volumes from process effluent due to changing site operations from 'heavy end' steel manufacturing to modern EAF operations applying Best Available Technology.

There is also a potential for some minor (not significant) positive effects to water quality receptors during the operational phase. These result from both the reduction of water abstraction volumes and reduced risk of pollution and/or sedimentation to waterbodies. A risk of negligible (not significant) negative effects are also identified, with particular regards to potential pollution and water quality impacts during the construction phase.

No likely significant effects have been identified as a result of cumulative impacts.

Planning Assessment
The information in the ES and other supporting plans and documents has been reviewed and the application was referred to officers of the Authority responsible for drainage, to Natural Resources Wales and Dwr Cymru Welsh Water.

In their response the Authority's drainage officers have indicated that the development will require separate approval under the sustainable drainage regulations. The Sustainable Drainage Approval Body (SAB) has not indicated in their response to the Local Planning Authority that the scheme is not capable of meeting the statutory standards (Surface water runoff destination; Surface water runoff hydraulic control; Water Quality; Amenity; Biodiversity; Design of drainage for construction, operation and maintenance). The SAB have been extensively involved in pre-application discussions and in light of their response it is considered that the detail of the appropriate disposal of surface water can be left through the SAB approval process. Drainage during the construction phase will also be managed via the SAB process.

Dwr Cymru Welsh Water have made no objections to the application or comment on the merits of the proposal. The application indicates that the office building which will have amenity and changing facilities will be connected to the mains sewerage system and that following the reduction in workforce following the closure of the 'heavy end' foul flows have significantly reduced.

Natural Resources Wales state the following on 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. 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."*

It is viewed that the FCA appropriately demonstrates that the proposal satisfies the Justification Test requirements in TAN15. This includes managing the low level of identified flood risk in line with the acceptability criteria. The proposal is resilient to flood risk in all predicted climate change scenarios.

In relation to surface water and drainage the application demonstrates that the proposed development meets the principles and requirements set out in TAN15 and the aims of Planning Policy Wales, as well as LDP Policy SP1 (Climate Change). It is further concluded in relation to flood risk that the proposed development satisfies the Justification Test requirements within the Flood Consequences Assessment, including managing flood risk in line with the acceptability criteria. The proposed development meets the principles and requirements set out in TAN15 and the aims of Planning Policy Wales, as well as LDP Policy SP1 (Climate Change).

Major Accident Hazard

LDP Policy SP16(3) seeks to ensure that developments do not increase the number of people exposed to significant levels of pollution. Policy EN8 seeks to prevent proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk.

The applicant has in detail considered the impacts of the proposal on major accident hazard and disasters. The ES within Chapter 15 sets out how this has been considered and the mitigation inherent in the scheme. The applicant has stated that the site will continue to be regulated through the Control of Major Accident Hazards Regulations 2015 (COMAH) as a higher tier site. The applicant will be obliged to meet the regulatory requirements of this legislation. The application is also supported by a standalone fire strategy.

The assessment sets out that the closure of the heavy end will result in the cessation of operations at the stockyard, sinter plant, coke ovens, blast furnaces and steel converter. The cessation of these established site activities essentially eliminates numerous risks that may result in fires, explosions, loss of hazardous gas containment, and major pollution incidents.

During construction the CEMP with appropriate pollution prevention measures will control and mitigate major accidents and disasters. During operation COMAH is likely to regulate some activities (less than are currently regulated) specifically it is anticipated that the dust from the fume extraction system will exceed the COMAH threshold. Environmental permitting, hazardous substances consent and internal regulation by the applicant are also identified as mitigating major accident and disaster risk.

The closure of the heavy end also eliminates the requirement for coke deliveries to the Site, thereby reducing the number of traffic movements and accident risks associated with those traffic movements.

- The chapter identifies the following hazards:
- Fire / explosion
- Uncontrolled release of hazardous substances due to loss of containment of off-gasses
- Environmental contamination from hazardous substances

- Other hazards (such as road traffic accidents, worker illness and malicious attach)

The assessment of residual significant effects is summarised in Table 3 (Table 15.5 of the ES)

Hazard/ Disaster	Receptors	Mitigation	Residual effect
Flooding	Human Environmental Infrastructure	Ground raising Bunding SuDS	Not significant
Severe Weather	Human Environmental Infrastructure	Emergency preparedness plans Regular maintenance Well-equipped work environments	Not significant
Pandemic	Human	Site safety induction Identification of key workers	Not significant
Animal diseases	Human	Secure delivery and storage of construction materials and scrap	Not significant
Coastal pollution	Environmental	Wastewater treatment Environmental permit limits	Not significant
Transport incidents	Human Environmental	Transport plan Transport risk assessments	Not significant
Industrial accidents (fire/explosion)	Human Environmental Infrastructure Historic	Fire suppression systems Various management and control regulations	Not significant.
Industrial accidents (pollution event)	Human Environment	Hazardous spill response plans Various management and control regulations	Not significant.
Loss of critical infrastructure	Human Environmental Infrastructure	Emergency power generation.	Not significant.
Malicious attacks	Human Infrastructure	Layered systems Gated access Civil Contingencies Act	Not significant.

Table 3: Summary of residual significant effects (ES Table 15.5)

The ES sets out that the proposed development would reduce many established sources of hazard at the site. It also represents an opportunity for the renewal of aged infrastructure to incorporate modern standards of working. It also considers the major accident disaster risk of the development with other nearby development. The ES goes onto state in paragraph 15.11.3 that:

"Whilst some sources of major accident risk will persist, the overall level of hazard presented by the Proposed Development is considered to be much reduced when compared with the established baseline."

With the presence of the mitigation and statutory requirements, no impact pathways were identified requiring additional assessment in the ES.

Planning Assessment
The ES and other supporting information have been reviewed in respect to major accidents and disasters and referred to consultees which include the Health and Safety Executive (HSE). In their response the HSE has not objected to the application and noted the applicants view that the proposal would continue to be regulated under COMAH.

The view that the major accident and disaster risk at the site will improve in comparison to the established operations of the steelworks is accepted. The mitigation identified is largely resulting from regulation outside of the planning system, except for the requirement of a CEMP during construction. Subject to conditions securing the CEMP it is considered that the proposed development is in accordance with policies SP16(3) and EN8 of the LDP and that the risk of major accident and disaster is acceptable.

Socio-economic impacts of development

Chapter 14 of the ES considers the socio-economic and health impact of the development. The chapter initially sets out the policy and legislative context associated with this topic area. It then details the approach to the assessment. The assessment initially identifies socio-economic receptors and their sensitivity. The assessment its limitations and assumptions are set out in detail in the chapter.

The following socio economic receptors were considered:

- Change in direct, indirect and induced employment during the construction phase
- Change in education, skills and training provision during the construction phase
- Change in direct, indirect and induced employment during the operational phase
- Change in employee expenditure during the operational phase

These were assessed for three different impact areas:

- Local Impact Area (LIA) (Neath Port Talbot, 52% of established baseline workers resided in this area)
- Sub-regional Impact Area (SRIA) (Neath Port Talbot CBC, Swansea Council and Bridgend CBC – 80% of the established baseline workers resided in this area)

- Wider Impact Area (WIA) (Wales – 99% of baseline workers resided in this area)
- UK Impact Area (UKIA) (UK – 100% of baseline workers resided in this area)

Change in direct, indirect and induced employment during the construction and operational phase are summarised in Tables 4 and 5.

Direct and Indirect/Induced FTE Employment	LIA	SRIA	WIA	UKIA
(a) Established baseline: Total	2,890	5,020	6,720	9,790
(b) Employment at commencement of construction phase	1,460	2,570	3,460	5,170
(c) Construction phase: Uplift	290	570	730	1,030
Construction phase: Total (b+c)	**1,750**	**3,140**	**4,190**	**6,200**
Construction phase: Total net impact against established baseline (b+c) – (a)	**-1,140**	**-1,880**	**-2,520**	**-3,590**

Table 4 (ES Table 14.18) Construction phase total (direct, indirect and induced) net employment impacts

Direct and Indirect/Induced FTE Employment	LIA	SRIA	WIA	UKIA
(a) Established baseline: Total	2,890	5,020	6,710	9,790
(b) Operational phase: Total	1,660	2,890	3,380	5,720
Operational phase: Total net impact against established baseline (a-b)	**-1,230**	**-2,130**	**-2,830**	**-4,070**

Table 5 (ES Table 14.21) Operational phase total (direct, indirect and induced) net employment impacts

Change in employee expenditure during the operational phase is estimated from available information and the limitations of the assessment are outlined in the ES. It estimates that there would be a net reduction of £12 million expenditure in the SRIA economy (this is relatively small (accounting for just 0.3% of the £4.68 billion annual total recorded in the area)).

The ES states the following in relation to the change in employee expenditure:

> *"14.7.54 The estimated net reduction of £12.0 million expenditure in the SRIA economy, a notable proportion of which is likely to be withdrawn from LIA, is a magnitude of change that is considered to be medium. This acknowledges the context of the Site as the LIA's largest single employment location and its contribution towards sustaining local employment and earnings (accounting for 7% of total local employment, with workers earning higher than average wages) and the fact that the estimated expenditure capacity of its direct and*

indirect/induced workforce will be reduced by c. 21% as a result of the Proposed Development.

14.7.55 Therefore, there is likely to be a direct, permanent, long-term, adverse effect on businesses and associated labour force as a result of the change in employee expenditure during the operational phase which is considered to be moderate significant."

The ES outlines the project characteristics and embedded mitigation. The proposed development is part of a £1.25 billion investment that aims to secure steel making in Port Talbot for the foreseeable future. The applicant will retain 100 shift based employees in Port Talbot who will remain employed through the transition period who would otherwise be redundant. Those employees potentially 'at-risk' of compulsory redundancy in Port Talbot were offered the opportunity to participate in a skills and re-training scheme to help them secure alternative future employment. Information provided by the Applicant additionally indicates that a total of c. £25 million will be invested in decommissioning prior to the commencement of the construction phase.

The ES states paragraph 14.6.8 that in addition to the above, the following embedded mitigation related to socio-economics and health have been assessed as part of the Proposed Development:

"• Redeployment of supplier activities to retain supply chain employment capacity;

• A voluntary redundancy package offered by Tata Steel UK Limited (Tata Steel);

• Internal advertisement of future jobs;Tata Steel UK Limited (Tata Steel)

• A package of support and funding delivered by UK Steel Enterprise Limited (UKSE, the regeneration arm of Tata Steel UK Limited (Tata Steel)) with the objective of creating 2,800 jobs in the South Wales region over 5 years; and

• Skills and learning, outplacement support, mental health support and reskilling and retraining, funded by a £20 million commitment by Tata Steel UK Limited (Tata Steel) to the £100 million Transition Fund (profiled below)."

The applicant's Planning Statement sets out that within the voluntary redundancy package, Tata Steel UK offers employees voluntary redundancy packages which includes: 2.8 weeks of pay per year of service (capped at 25 years); a minimum redundancy payment of £15,000 (pro-rata for part-time employees) and a £5,000 retention bonus for maintaining attendance. Future jobs associated with the EAF facility will be advertised on Tata Steel internal boards, enabling employees to express interest in the new roles to be created. Support and Funding by UK Steel Enterprise (UKSE) - in addition to Tata Steel's £20 million contribution to the Transition Board fund, UKSE will provide an extra package of support with the objective of creating up to 2,800 jobs across the South Wales region over a five-year period.

In respect to skills, support, and reskilling – Tata Steel's £20 million contribution to the £100 million Transition Fund will focus on the following four areas of the wider Transition Fund remit:

- Skills and learning accreditation – this initiative will ensure that affected members of the workforce have an opportunity to convert the skills they have gained while working at Tata Steel into widely recognised qualifications.
- Outplacement support - a service that is designed to support employees who might be affected by redundancy, by providing access to resources and a support network designed to help them successfully transition to the next stage of their career.
- Mental health support – Tata Steel's independent and confidential Employee Assistance Programme will provide counselling support, as well as support and advice on a number of wider matters such as financial concerns.
- Reskilling and retraining programs - Tata Steel will design and implement a scheme to be available for those selected as potentially compulsory redundant and offer a period of extended employment with the focus on re-skilling. This will support individuals with securing future alternative employment with a new employer.

The ES identifies nearby cumulative development and notes in particular that the construction periods of some development will overlap with this proposal. The ES goes on to summarise the socio-economic effects as follows:

> *"14.11.12 Assessing the impacts of the Proposed Development on socio-economic conditions, the chapter concludes that the Proposed Development will predominantly generate significant adverse socio-economic effects.*
>
> *14.11.3 However, it is important to note that the proposals form part of a £1.25 billion investment, which is the largest in South Wales industry for many decades. The proposal will secure steelmaking in Port Talbot for the foreseeable future. This is the only viable solution for the future of Port Talbot Steelworks. If the investment does not proceed and the development does not go ahead, steelmaking will eventually cease at the site.*
>
> *14.11.4 The future of the Port Talbot facility is entirely dependent on the planned investment in in the EAF. Without an EAF, the inevitable closure of the facility would come at a significant economic, social and environmental cost to NPT, Wales and the UK. Therefore, all identified effects of the proposal must be considered with this essential context in mind.*
>
> *14.11.5 The Applicant is implementing inherent/embedded/primary mitigation to minimise impacts, including retention and ongoing redeployment of a proportion of current supply chain capacity, as well as employment and skills measures associated with the Transition Fund.*
>
> *14.11.6 Notwithstanding mitigation, measured in comparison with the established baseline (i.e. historic operations), the Proposed Development will generate major adverse (significant) effects as a result of reductions in direct, indirect and induced employment during both the construction phase (that*

during which development will occur) and the operational phase. A moderate adverse (significant) effect will also be generated with regard to the change in workforce expenditure capacity. A minor beneficial (not significant) effect will be generated as a result of education, skills and training provision during the construction phase."

Planning Assessment

The ES and other supporting documents have been fully reviewed in respect to socio-economic impacts and referred to appropriate consultees within the Authority.

It is accepted that the proposals will make a positive contribution to sustainable economic growth and job creation in Neath Port Talbot. The proposal is considered to be in line with the vision set out in the Authority's Decarbonisation and Renewable Energy Strategy (DARE) (May 2020). The proposal will contribute towards economic, social, health and environmental benefits of decarbonisation. It will also further Wales' progress towards a low-carbon economy and provides an opportunity for Port Talbot to be at the forefront of this.

The primary concern from the assessment is the employment reduction following closure of the heavy end 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 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, a reduction in employee expenditure in the local, regional and national 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.

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.

The existing steelworks is a heavy carbon user and greenhouse gas emitter. The ES states that the facility is in critical need of structural investment to avoid the inevitable cessation of steelmaking. Without the Electric Arc Furnace investment, there would be no steelmaking in Port Talbot, this would cause a significant adverse economic, social and environmental effect in Port Talbot, regionally and across Wales and the UK.

The retention of steel making in Port Talbot has clear socio-economic benefits for Port Talbot. It is considered that this proposal has clearly demonstrated that it will support this and this is in line with economic objectives of the LDP and

National Planning Policy and Guidance and should be accorded weight during the determination of the application.

Human Health

Chapter 14 of the ES considers the socio-economic and health impact of the development. The chapter initially sets out the policy and legislative context associated with this topic area. It then details the approach to the assessment. It sets out in detail the health profile of Neath Port Talbot and defines health impact areas based on Lower Super Output Areas. It also identifies vulnerable and disadvantaged groups. The assessment identifies socio-economic receptors and their sensitivity.

ES Table 14.16 considers the potential for impact pathways on health outcomes associated with the development for the Local Impact Area, utilising the framework of wider determinants of health for EIA as set out in professional guidance. Where determinants of health are assessed in detail elsewhere in the ES, the outcomes reported in the relevant assessment will be relied upon in the human health assessment. This includes for transport and access, climate change, air quality, water quality, land quality, noise and vibration, radiation and the built environment.

The project characteristics and embedded mitigation that are detailed above (see socio-economic impacts section from ES above) such as the transition board and the applicants support in relation to job losses – this mitigation is also relevant to mitigating human health impacts.

In respect to human health, the ES outlines that within the local area, high levels of deprivation have been reported across a range of indicators for health and wellbeing. This highlights a high sensitivity of the local population to any changes in factors that influence health and wellbeing. Given this high sensitivity to change, job losses associated with the transition from heavy end steel making result in impacts on health inequalities in the LIA.

This would need to be balanced against the scale of the Transition Fund, it is also considered that the impact of the job losses on health outcomes would be reduced. Overall, the ES considers that there would be a significant and long-lasting adverse effect on human health in the local area.

Planning Assessment
The ES Chapter has been fully reviewed and referred to appropriate consultees within the Authority and also to Public Health Wales and Swansea Bay Local Health Board Director of Public Health.

The public health consultees have provided a commentary on the impact of the development on public health and advice to the Authority in the factors that should feed into assessing this issue.

It is considered that the Authority must consider the likely adverse health effects in the context of the inevitable cessation of steelmaking in Port Talbot should

the development not be granted planning permission. Such an eventuality would result in increased adverse health effects. It is considered that the mitigation measures are significant. This mitigation and the adverse effects identified must also be considered in the context of the proposed EAF facility being the initial step in the regeneration of the steelworks. This development does not preclude further phases of development and investment that would support further growth in the future. In this context, the significant number of jobs sustained and supported by the development during the construction and operational phases are positive.

When considered on balance, the effects of major investment in the regeneration of the steelworks, the socio-economic mitigation packages provided by the applicant and the prospect of further growth associated with the reconfiguration of steelmaking at the site are likely to be positive in human health terms. They directly contrast the further significant adverse outcomes associated with ceasing steelmaking at the steelworks if the development does not happen.

Climate Change and Sustainability

Chapter 13 of the ES considers the climate change effects of the development. The chapter initially sets out the policy and legislative context associated with this topic area. It then details the approach to the assessment. The assessment has two parts:

- The effect of the Proposed Development on climate from greenhouse gas (GHG) emissions / reductions ("climate change mitigation"); and

- The effects on the Proposed Development itself from climate change ("climate change resilience").

The LDP sets out a range of key issues including ‘KI 1’ relating to the need to address the causes and consequences of climate change. Corresponding overarching objective ‘OB 1’ and Policy ‘SP 1 Climate Change’ relate to the need to reduce GHG emissions and adapt to climate change through consideration of its effects in the design and location of new development. There is extensive international and national policy that provides a framework for considering climate change effects, which are detailed in Chapter 13. Policy RE2 requires for large developments with over 1,000 sqm of floorspace must submit an Energy Assessment to explore the feasibility of connecting to renewable energy sources, district heating networks, and incorporating on-site zero/low carbon technologies.

The Green House Gas (GHGs) assessment uses the seven gases identified for control in the Kyoto Protocol (CO2 is the main GHG emitted in steel making). The assessment is described in the ES as follows:

> *• A review of UK, Wales and NPTC legislation, regulations, planning policy and guidance, etc. relating to climate change, GHG emissions and net zero;*

• Estimation of CO2 emissions in the 'established baseline' scenario (i.e. the steelworks with 'heavy end' as operating in early 2024 and for the majority of the preceding 50+ years);

• Estimation of CO2 emissions in the 'interim baseline' scenario (i.e. the steelworks as they will operate at the time of any planning determination following the closure of the 'heavy end') plus GHG emissions from the construction of the Proposed Development;

• Estimation of reasonable worst-case CO2 emissions / savings from the operation of the Proposed Development;

• Establish the Proposed Development's emissions and reductions during construction (CO2e), 'interim baseline' (CO2) and operation (CO2) relative to the 'established baseline' (CO2) and also 'interim baseline' (CO2);

• Evaluate forecast GHG emissions from construction and CO2 savings from the operation of the Proposed Development in the context of 'established baseline' emissions (CO2), future Wales and UK carbon budgets (CO2e), and UK Government projections of GHG reductions from the decarbonisation of the UK steel sector from electrification (CO2e), in order to establish their magnitude;

• Establish the sensitivity of the affected receptor and the duration and geographical scale of effect;

• Establish the contribution of the Proposed Development to UK Government's steel sector decarbonisation projections and, therefore, the UK and Wales net zero trajectories; and

• Establish the level and significance of GHG effect.

Paragraph 13.4.18 sets out that the World Steel Association defines Scope 1, 2 and 3 emissions as follows:

- Scope 1 emissions are direct emissions from site chimneys;
- Scope 1.1 emissions are direct emissions from the combustion of exported co-product gas;
- Scope 2 emissions are the upstream emissions or credits related to procurement/delivery of electricity and steam; and
- Scope 3 emissions are other upstream emissions or credits related to procurement/delivery of pre-processed materials/co-products.

The ES sets out in further detail the assumptions, limitations and methods used in the assessment. The assessment uses the same scenarios used in the rest of the ES as given below:

Established Baseline	Operation of the steelworks with 'heavy end' up to early 2024, based on averaged data for the period April 2020 to March 2024.
Interim Baseline	Operation of the steelworks from October 2024 following closure of the 'heavy end' when substrate is imported, until the EAF becomes operational by the end of 2027.
EAF Construction	EAF construction is scheduled to commence in mid-2025 and be completed by the end of 2027.
EAF Operation	EAF operation is scheduled to commence by the end of 2027, and operational GHG emissions have been forecast to March 2031.

The results of the GHG emissions assessment are set out in the following tables 6, 7 and 8.

Year	2027	2028	2029	2030
Scope 1+2 operational EAF GHG savings (tCO_2) vs established baseline	**6,207,549**	**5,628,146**	**5,453,541**	**5,463,265**
Operational GHG savings as a % of 'established baseline' emissions	99.2%	90.0%	87.2%	87.3%
Operational GHG savings as a % of NPTC baseline emissions	98.9%	89.7%	86.9%	87.1%
Operational GHG savings as a % of Wales baseline emissions	23.1%	21.0%	20.3%	20.4%
Operational GHG savings as a % of UK baseline emissions	1.7%	1.7%	1.7%	1.7%
Wales carbon budgets (tCO_2e)	**23,659,561**	**23,659,561**	**23,659,561**	**20,842,946**
Operational GHG savings as a % of Wales carbon budgets	26.2%	23.8%	23.1%	26.2%
UK carbon budgets (tCO_2e)[1]	**350,400,000**	**350,400,000**	**350,400,000**	**350,400,000**
Operational GHG savings as a % of UK Carbon Budgets	1.8%	1.6%	1.6%	1.6%
UK Government steel sector decarbonisation projections (tCO_2e)	**-7,600,000**	**-7,600,000**	**-7,600,000**	**-7,600,000**
Operational GHG savings as a % of UK Government steel sector decarbonisation projections	81.7%	74.1%	71.8%	71.9%

Table 6 (ES Table 13.19): Operational EAF GHG emissions and savings in context.

Year	2027	2028	2029	2030
'Established baseline' emissions (tCO_2)				
Scope 1, 2 & 3	6,894,057	6,894,057	6,894,057	6,894,057
Operational EAF emissions (tCO_2)				
Scope 1, 2 & 3	187,111	2,265,079	3,888,635	3,878,894
Operational EAF emissions minus 'established baseline' emissions				
Scope 1, 2 & 3	-6,706,947	-4,628,978	-3,005,422	-3,015,163

Table 7 (ES Table 13.20) Operational scope 1, 2 and 3 GHG emissions and savings.

Year	2027	2028	2029	2030
Operational EAF GHG savings (tCO_2)				
Scope 1, 2 & 3	6,706,947	4,628,978	3,005,422	3,015,163
Operational GHG savings as a % of 'established baseline' emissions	97.3%	67.1%	43.6%	43.7%

Table 8 (ES Table 13.21) Operational scope 1, 2 and 3 GHG savings in context.

The assessment also outlines the Applicant's commitment to achieve net zero by 2045 with an interim 30% reduction by 2030. The Applicant is looking at measures such as using low-carbon energy to further reduce Scope 1 & 2 CO2 emissions, and use of low-carbon raw materials, such as Direct Reduced Iron (DRI) produced using hydrogen, to further reduce Scope 3 CO2 emissions.

The information submitted demonstrates that there will be major beneficial effects to the global climatic system by the reduction in greenhouse gas emissions.

In relation to climate change resilience the ES sets out that both during the construction and operation phase that, following embedded mitigation, there were negligible effects from climate change on major accidents and disasters; physical risks; and flood risk. In operation a significant beneficial effect to site habitats and species were predicted following mitigation through the CEMP, LEMP and realising biodiversity net benefit.

In relation to sustainability the application is supported by a stand alone (outside the ES) statement on sustainability. This statement outlines information also provided in the ES Chapter in relation to GHG reductions. It also assesses the options for on site renewable energy. The assessment focussed on the office building at the site and considers that heat pumps will be incorporated into the development. Other sources of renewable energy generation such as solar power, biomass and wind power also given consideration.

Planning Assessment
The assessment provided within Chapter 13 of climate change effects is accepted and the proposal is considered to have GHG emission benefits that must be considered and given weight in decision making. There are limitations to the assessment for example around the final technology to be used, detailed construction techniques etc that are acknowledged within the assessment.

However, it is clearly demonstrated that the replacement of the existing blast furnaces with the proposed EAF will result in a significant reduction in greenhouse gas emissions compared to the established baseline position. As referred to in the description of development a Unilateral Undertaking (UU) is proposed to prevent the simultaneous operation of the blast furnaces (which are outside this development) and EAF. The UU will ensure that the significant reduction in greenhouse gas emissions and associated benefits will be secured.

The supporting information also supports a conclusion that the development will be climate change resilient.

The supporting sustainability assessment has considered options for incorporating renewable energy generation into the scheme in line with Policy RE2. The assessment is reasonable and the proposed sustainability measures can be secured by planning

The proposal delivers significant benefits in terms of climate change through the significant reductions in greenhouse gas emissions at the site. It is climate change resilient with the ES identifying no issues. The applicant has provided an assessment to determine the feasibility of incorporating renewable energy into the development. The proposal is viewed to be in accordance with and support the principles set out in, LDP Policies SP1 (Climate Change), SP18 (Renewable and Low Carbon Energy) and RE2 (Renewable and Low Carbon Energy in New Development).

Waste Management.

Waste management was not scoped into the EIA. Waste was considered where it related to matters that were scoped into the assessment. The application is supported by waste management plan.

This sets out how waste management will be addressed, the assessment provided includes an assessment of waste in the construction phase. Waste will largely be dealt with in the applicants Construction Environmental Management Plan which will incorporate a construction waste management plan. The soil management plan and materials management plan will also control construction spoil use within the development.

Operational waste is described below in the waste management plan:

Waste Type	**Estimated waste production rate**
EAF Slag	Produced at a rate of 85 kg per tonne of liquid metal 255,000 tonnes produced per annum.

Red Dust	83,000 tonnes per annum
Refractory bricks	3,000 tonnes per annum
Foreign Materials in purchased scrap	Phase 1 (EAF ready scrap arrives on site by train) – 0 tonnes per annum Phase 2 (some scrap process on site) – 220,000 tonnes per annum (light fraction) and 88,000 tonnes per annum (heavy fraction).
Process water	1,000 m3/hr

Table 9: Operational waste production (Waste Management Plan).

EAF slag is a by product of smelting and is primarily used for aggregate road stone following processing.

Red dust is captured in the bag plant, it is processed off site and used to create iron rich pellets that are used industrially. Refractory bricks can be regenerated on site and re-used – some bricks may need disposal on the on-site landfill.

In phase 1 of scrap processing is off site and any contaminated scrap would be rejected. If phase 2 is undertaken and on site scrap is shredded the statement sets out that it would generate:

- A light fraction, which would be processed off-site to recover, plastics, glass, textiles and metals. This is estimated at approximately 220,000 tonnes per annum.

- A heavy fraction, which would be processed on-site. Of the estimated 88,000 tonnes of heavy faction, it is predicted that 25,000 tonnes would potentially require landfilling at the on-site non-hazardous facility. The remainder is ferrous and non-ferrous metal that can be recycled. The material would be recycled in a wide network of existing off-site waste recycling facilities and scrap merchants based on requirements of the facilities and the grade of material generated.

The volume of trade effluent will be reduced compared to current blast furnace operations. The hot mill and cold mill will continue to operate as they currently are in the EAF scenario, but the volume of water discharged by the EAF is very low as the majority of water is evaporated.

The process water would continue to be discharged via Tata Steel's private effluent treatment network to the Long Sea Outfall (LSO), which is regulated under the current permit and any future permit. Current discharge is approximately 2,000m^3 per hour at the LSO and this will fall to less than 1,000 m^3/hr after the EAF is commissioned. The contaminant profile would not change significantly but there would be a reduction in the contaminants associated with coke production.

Tata Steel owns two active landfills outside of and to the south of the application site, one accepting hazardous waste and the other non-hazardous waste. The waste that would require disposal in the future compared to the current arrangement is foreign materials from the shredding of scrap metal.

The waste management plan states that:

> *"2.49 The last survey conducted on the landfill (January 2024) indicated that the non hazardous landfill has just over 2,300,000 m3 of remaining capacity if all cells were built. A conservative bulk estimate of 1 tonne per m3 for the waste generated from the shredding process (25,000 t per annum) would result in a remaining Tata Steel landfill capacity of 92 years. In reality, recycling techniques are constantly improving. Tata Steel would seek to improve the efficiency of the process generating the waste and the potential for recycling into the future. This is very likely to further extend the remaining landfill capacity, which is significantly beyond the assessed lifetime of the proposed EAF development."*

It is considered that the application and supporting detail demonstrate that the development can operate without unacceptable negative environmental impacts arising from waste. The proposed development is reasonably in accordance with Policy W3 of the LDP.

Cumulative Impacts.

The Environmental Impact Assessment Regulations requires all proposed EIA developments to consider not only the direct and indirect impacts of the proposal, but to also consider these impacts in combination or cumulatively with other schemes or projects that are in the public domain. Cumulative effects are discussed in relation to each topic in each of the relevant EIA Chapters. There remain two parts to assessing cumulative effects that would need to be assessed separately:

- Intra-project combined effects – the interaction and combination of multiple significant effects from the Proposed Development on common receptors; and

- Inter-project cumulative effects – the combined effects of the Proposed Development together with other committed development projects on commonly shared receptors.

Chapter 16 of the ES considers these potential cumulative effects of the development. The chapter initially sets out the policy and legislative context. It then details the approach to the assessment.

The assessment assessed a range of different projects in the locality the applicant discussed the projects to be assessed during pre-application discussions with the Authority. The exact assessment and projects for consideration depended on the nature of the developments proposed and the environmental topic being considered. The assessment identified 68 different projects and included a wide range of major developments in the locality such as:

- P2021/1255 Full planning application by Sandvik Osprey Ltd for a metal processing facility totalling 28,500sq.m of floorspace comprising a

powder processing plant, warehouse and store, office building, amenity building, laboratory, services building, substation, phase 2, CCTV, storage tanks and plant, parking, servicing and roads and associated works. Land off J38 of the M4, Margam

- P2023/0858 demolition of existing structures and erection of a Sustainable Aviation Fuel (SAF) production facility, including the production of green hydrogen and sustainable diesel, enclosed ground flare, storage tanks, installation of pipework and electrical, processing and utility equipment, administration, warehouse and laboratory buildings, new access, car parking and transport infrastructure including a truck loading area and associated works, hard and soft landscaping, areas for temporary construction laydown, and associated development. At Crown Wharf Port Talbot Docks Port Talbot SA13 1RA (Project Dragon). Pending determination.

- DNS/3264571 (Y Bryn Wind Farm) DNS application for the installation of up to 18 wind turbines (ranging between up to 206m, up to 230m and up to 250m to tip) with associated infrastructure on land at Bryn and Penhydd forests, located between Port Talbot and Maesteg. Y Bryn Wind Farm is expected to generate up to 129.6MW. Pending determination.

- P2024/0693 (P Fields) laying concrete in the P Fields area (within the extent of the EAF Site boundary) to create a site compound. Approved.

- National Grid Margam substation extension and cable connection is also included with the applicant noting that Following project-related discussions with National Grid, it is understood that an application will be forthcoming in relation to the extension of the National Grid Margam substation and cable connection.

The assessment concluded that for intra-project cumulative effects, no specific single receptor is anticipated to experience significant residual effects from multiple environmental factors (as assessed in ES Chapters 5 to 14) as a result of the Proposed Development). No common receptors have been formally identified and the potential for interaction effects on any single receptor is also ruled out.

With regard to inter-project cumulative effects, no significant inter-project cumulative effects are anticipated as a result of the Proposed Development in relation to any environmental factor. As such, no additional mitigation measures beyond those already identified within the topic chapters (ES Chapters 5 to 14) are proposed.

Planning Assessment
The cumulative assessment provided within Chapter 16 of the ES has been referred to consultees. No consultees or other third parties raise any concerns regarding the cumulative assessment.

Mitigation measures (such as implementation of a CEMP during construction etc.) have been identified throughout the ES, within the individual technical chapters, which will prevent unacceptable intra-relationship effects from occurring.

Overall, the assessment of cumulative effects is acceptable and the conclusions that there are no significant cumulative effects with other projects is robust. .

Section 106 Planning Obligations.

Local Development Plan Policy SP 4 (Infrastructure) states that;

"Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable".

Policy I1 (Infrastructure Requirements) then states that "In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for: Affordable housing; Open space and recreation facilities; Welsh language infrastructure (in language Sensitive Areas); Community facilities including community hubs; Biodiversity, environmental and conservation interests; Improving access to facilities and services including the provision of walking and cycling routes; Historic and built environment and public realm improvements; Community and public transport; Education and training.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

(a) necessary to make the development acceptable in planning terms;
(b) directly related to the development; and
(c) fairly and reasonably related in scale and kind to the development.

In this case, the proposal relates to a planning application for the development of an electric arc furnace as such there is no requirement for planning obligation contributions towards the provision of affordable housing, public open space, education and there are no identified public highways works that have been identified as necessary.

As set out previously within the report the application proposes an offsite active travel project that will be secured by a planning condition.

Other Matters

As outlined above the application was publicised and there were no direct neighbour third party representations during the consideration of the application. The applicant undertook extensive pre-application consultation. The feedback from this process, including the consultee and public responses, were taken into account in the final application submission.

The applicant does consider whether the proposal would amount to a waste processing site in their submission to which the requirements of Policies 19 and W1 would apply. It is accepted that the existing and proposed steelmaking operations in Port Talbot cannot be assessed objectively as falling readily into any of the inbuilding categories covered by Policy W1. The steelworks in its current or future EAF configuration considered not to be a 'materials recycling facility' for the purposes of interpreting the LDP.

Policy 13 of Future Wales sets an expectation that new development will incorporate the provision of gigabit capable broadband infrastructure at the outset. This was raised with the applicant who advised that this was not practical to provide broadband connectivity across what is a vast industrial site. They advised that they have already entered into agreement to provide secure connectivity through the Vodaphone 5G permitted at the steelworks site under planning permission P2024/0162. Which provides a stand alone system for security of their communications at a connectivity rate that equals a gigabit connection, that is operationally fit for the future. It is agreed that this is a practical solution for the site that is in line with the aims of Future Wales.

The applicant's supporting planning statement outlines the applicant's existing community engagement and support, and its commitment to continue supporting events in the local community. It outlines their involvement in supporting sporting events such as the Richard Burton 10k run; Round the Reservoir race; Round the Pier swim; and Port Talbot Triathlon. As well as various other events across the local community. The planning statement goes on to state that Tata Steel is committed to this role as an important employer and stakeholder in the local community, including continuing these community support initiatives where possible. These factors do not directly relate to the development of the EAF project and are of limited in decision making.

Summary of effects

The ES contains a summary of effects (ES Tables 17.1 and 17.2), The below includes only the environmental factor, impact, receptor and residual effect (after mitigation) for construction (Table 10) and operation (Table 11) of the development.

Receptor	Likely Significant Effect	Residual Effect
Landscape and Visual (ES Chapter 5)		
LCA 1: Margam Marsh	Direct short-term effects on the site and host LCA, during construction	Moderate-minor adverse (not significant)

Receptor	Likely Significant Effect	Residual Effect
LCA 50: Port Talbot Docks and Margam Works	Direct short-term effects on the site host LCA, during construction	Minor adverse (not significant)
LCA 3 Margam Country Park	Indirect short-term effects to the LCA, during construction	Minor adverse (not significant)
LCA 6: Mynydd Bromil, Mynydd Emroch & Mynydd Dinas	Indirect short-term effects to the LCA, during construction	Moderate-minor adverse (not significant)
Longland Lane/PRoW 5/92.PT/3	Short-term effects arising from views during construction for walkers on the path	**Moderate adverse (significant)**
People living in or visiting the area of Broomhill.	Short-term effects arising from views during construction from Broomhill.	Minor-Negligible adverse (not significant)
M4 Motorway	Short-term effects arising from views during construction for drivers and passengers on the M4	Minor adverse (not significant)
Wales Coast Path	Short-term effects arising from views during construction for walkers on the path	Moderate adverse (not significant)
Ogwr Ridgeway/Glamorgan Ridgeway	Short-term effects arising from views during construction for walkers on the path	Minor adverse (not significant)
Margam Park	Short-term effects arising from views during construction for recreational park users	Minor adverse (not significant)
Kenfig National Nature Reserve	Short-term effects arising from views during construction for recreational users of the reserve	Minor-Negligible adverse (not significant)
Bro Stone at the Pulpit Viewpoint	Short-term effects arising from views during construction for recreational park users	Minor adverse (not significant)
Cairn at Foel Fynyaddau	Short-term effects arising from views during construction for walkers and visitors	Minor-Negligible adverse (not significant)
SLA 4: Margam	Indirect short-term effects to the SLA, during construction	Minor adverse (not significant)
Air Quality (ES Chapter 6)		
Dust soiling, human health and ecological (Margam Moors) receptors	Dust emissions from onsite activities including demolition, earthworks, construction and trackout	Negligible/minor adverse (not significant)
Human health and ecological receptors	Vehicle and industrial emissions: Human health: changes to annual mean	Negligible/ beneficial (not significant)

Receptor	Likely Significant Effect	Residual Effect
	NO2, PM10, PM2.5, and CO concentrations Ecological: changes to NH3 and SO2 concentrations	
Noise and Vibration (ES Chapter 7)		
Residential Receptors	Construction noise	Minor adverse (not significant)
SSSI Receptors	Construction noise	Negligible (not significant)
Residential Receptors	Construction vibration	Negligible (not significant)
Residential Receptors	Road traffic noise	Negligible (not significant)
Biodiversity (ES Chapter 8)		
Internationally and nationally designated sites (Statutory designations)	Disturbance noise, lighting, human activity, diffuse pollution and changes to air quality	Indirect, long-term, permanent beneficial (not significant)
Locally designated sites (SINCs) (non-statutory designations)	Disturbance noise, lighting, human activity, and diffuse pollution	Indirect, short-term, temporary adverse effect (not significant)
Locally designated sites (SINCs) (non-statutory designations)	Change to air quality	Indirect, short-term, temporary adverse effect (not significant)
Coastal floodplain grazing marsh	Loss of habitat	Direct, long-term, permanent (**significant beneficial** at county level)
Open mosaic habitat	Loss of habitat	Direct, long-term, permanent (**significant beneficial** at county level due to mitigation)
Other habitats	Loss of habitat	Direct, long-term,permanent (**significant beneficial** at local level due to mitigation)
Invertebrates	Habitat loss and alteration, disturbance noise and human activity	Direct, long-term, permanent (**significant beneficial** at regional level due to mitigation)
Fish	Habitat loss and alteration, disturbance noise and human activity	Direct, long-term, permanent (**significant beneficial** at local level due to mitigation)
Badger	Disturbance Loss foraging habitat	Indirect, short-term, temporary adverse (not significant)

Receptor	Likely Significant Effect	Residual Effect
Reptiles	Habitat loss and alteration, disturbance noise and human activity	Direct, short-term, temporary adverse (not significant)
Breeding Birds	Habitat loss and alteration, disturbance noise and human activity	Direct, long-term, permanent (**significant beneficial** at district level due to mitigation)
Wintering Birds	Habitat alteration, disturbance noise and human activity	Direct, long-term, permanent (**significant beneficial** at district level due to mitigation)
Bats	Loss foraging habitat and disturbance from lighting	Indirect, short-term, temporary adverse (not significant)
Invasive non-native Species	Spreading	Direct, long-term, permanent (**significant beneficial** at local level due to mitigation)
Surface water quality (ES Chapter 9)		
Swansea Bay WFD Waterbody.	Direct, temporary, short-term impacts on surface water quality	Negligible/ minor adverse (not significant)
Ordinary watercourses Margam Moors SSSI	Direct, temporary, short-term impacts on surface water quality	Negligible/ minor adverse (not significant)
NRW Main Rivers - Nant Ffrwd Wyllt, Afon Cynffig (Kenfig), Afon Afan, Port Talbot Docks.	In-direct, temporary, short-term impacts on surface water quality	Negligible adverse (not significant)
Ordinary watercourses on site	Direct, temporary, short-term impacts on surface water quality	Negligible adverse (not significant)
Groundwater Quality (ES Chapter 9)		
WFD Groundwater Body Swansea Carboniferous Coal Measures	In-direct, temporary, short-term impacts on groundwater quality	Negligible adverse (not significant)
Water Resources (ES Chapter 9)		
Nant Ffrwdwyllt, Afon Cynffig (Kenfig), Port Talbot docks, Afon Afan, Mothers Ditch, Eglwys Nunydd Reservoir, Nant Ffrwdwyllt	Direct, temporary, short-term impacts on water resources	Negligible (not significant)
Flood Risk (ES Chapter 9)		
Less vulnerable development (on-site industrial development)	Direct, temporary, short-term impacts on flood risk	Negligible adverse (not significant)
Land Soil and Groundwater (ES Chapter 10)		

Receptor	Likely Significant Effect	Residual Effect
Geological units	Mobilisation of existing contamination during construction groundworks and other activities. Incorrect storage or handling of fuels, materials, etc. leading to physical mixing with natural geological units. Piled foundations creating mixing / pollution pathways.	Minor (not significant)
Peat	Excavation or exposure of peat during construction (e.g. changes in ground level or piling) causing release of stored carbon.	Minor (not significant)
Mineral resources	Potential disturbance of legacy coal reserves during works (if present)	Minor (not significant)
Soil resources	Removal of topsoil resulting in potential mobilisation of known and unknown contamination, potential mobilisation / mixing of unknown contamination in made ground and incorrect storage or handling of fuels, materials, oil or chemicals.	Minor (not significant)
Hydrogeology	Potential to allow downward migration of mobile pollutants from the shallow deposits to the bedrock during piling or other groundworks. Potential for shallow ground water to fill excavations through seepages. If contaminated, could be difficult to dispose of or be hazardous. Removal of existing structures and hardstanding resulting in short-term increase in infiltration and leaching through potentially contaminated soils or former buried structures exposed during Site clearance and the early phases of construction.	Minor (not significant)
Cultural heritage (ES Chapter 11)		
Morfa Colliery (421174), Morfa Colliery Gas Works (710277), and Theodrics Grange (20041)	Permanent damage or destruction by construction groundworks and other activities	Neutral (not significant)

Receptor	Likely Significant Effect	Residual Effect
Discontinuous peat layer	Permanent damage or destruction during construction of 9m deep foundations for two hoppers	Neutral (not significant)
Transport and access (ES Chapter 12)		
Drivers	Driver delay	Negligible beneficial (not significant)
Public transport users	Public transport users	Negligible beneficial (not significant)
Pedestrians, Public transport users	Pedestrian delay	Negligible beneficial (not significant)
Pedestrians, cyclists	Pedestrian amenity	Minor beneficial or negligible beneficial (not significant)
Pedestrians	Fear and intimidation	Minor beneficial or negligible beneficial (not significant)
Pedestrians, public transport users	Severance	Negligible beneficial (not significant)
Drivers, pedestrians, cyclists and public transport users	Accidents and road safety	Negligible beneficial (not significant)
Climate Change Green House Gases (GHGs) (ES Chapter 13)		
Global climatic system GHG emissions	Global climatic system GHG emissions	Negligible (not significant)
Climate Change Resilience (ES Chapter 14)		
Site buildings & structures	Wind speed	Negligible (not significant)
Site buildings & structures	Water resources & flood risk	Negligible (not significant)
Site buildings & structures	Ground well / shrinkage	Negligible (not significant)
Site habitats & species	Seasonal temperature & rainfall	Negligible (not significant)
Socioeconomics and health (ES Chapter 14)		
Labour force	Change in direct, indirect and induced employment during the construction phase	Major (**significant adverse**)
Labour force	Change in education, skills and training provision during the construction phase	Minor beneficial (not significant)
Human health	Change in health outcomes during the construction phase as a result of loss of employment	Moderate (**significant adverse**)

Table 10: Summary of Residual and Significant Effects During Construction

Receptor	Likely Significant Effect	Residual Effect
Landscape and Visual (ES Chapter 5)		
LCA 1: Margam Marsh	Direct long-term effects on the site and host LCA, once completed.	Minor adverse (not significant)
LCA 50: Port Talbot Docks and Margam Works	Direct long-term effects on the site and host LCA, once completed.	Moderate-minor adverse (not significant)
LCA 3 Margam Country Park	Indirect long-term effects to the LCA, once completed	Minor adverse (not significant)
LCA 6: Mynydd Bromil, Mynydd Emroch & Mynydd Dinas	Indirect long-term effects to the LCA, once completed	Moderate-minor adverse (not significant)
Longland Lane/PRoW 5/92.PT/3	Long-term effects arising from views of the completed development experienced by walkers on the path	Moderate adverse (not significant)
People living in or visiting the area of Broomhill.	Long-term effects arising from views of the completed development from Broomhill.	Minor adverse (not significant)
M4 Motorway	Long-term effects arising from views of the completed development for drivers and passengers on the M4	Minor adverse (not significant)
Wales Coast Path	Long-term effects arising from views of the completed development experienced by walkers on the path	Moderate adverse (not significant)
Ogwr Ridgeway/Glamorgan Ridgeway	Long-term effects arising from views of the completed development experienced by walkers on the path.	Moderate-Minor adverse (not significant)
Margam Park	Long-term effects arising from views of the completed development experienced by recreational park users	Minor adverse (not significant)
Kenfig National Nature Reserve	Long-term effects arising from views of the completed development experienced by recreational users of the reserve	Minor-Negligible adverse (not significant)
Bro Stone at the Pulpit Viewpoint	Long-term effects arising from views of the completed development experienced by recreational park users	Moderate- Minor adverse (not significant)
Cairn at Foel Fynyaddau	Long-term effects arising from views of the completed development experienced by walkers and visitors	Minor-Negligible adverse (not significant)
SLA 4: Margam	Indirect long-term effects to the SLA, once completed	Minor adverse (not significant)
Longland Lane/PRoW 5/92.PT/3 & Kenfig National Nature Reserve	Proposed lighting would be visible as points of light, especially where there would be a high degree of contrast at sensitive viewpoints.	Moderate-Minor adverse (not significant)
Air Quality (ES Chapter 6)		

Receptor	Likely Significant Effect	Residual Effect
Human health and ecological receptors	Vehicle and industrial emissions: Human health: changes to annual mean NO2, PM10, PM2.5, and CO concentrations Ecological: changes to NH3 and SO2 concentrations	Negligible/ beneficial (not significant)
Noise and Vibration (ES Chapter 7)		
Residential Receptors	Operational noise	Moderate (not significant)
SSSI Receptors	Operational noise	Negligible (not significant)
Quiet areas	Operational noise	Negligible (not significant)
Residential Receptors	Road traffic noise	Negligible (not significant)
SSSI Receptors	Road traffic noise	Negligible (not significant)
Quiet areas	Road traffic noise	Negligible (not significant)
Biodiversity (ES Chapter 8)		
Statutory and non-statutory designated sites	Changes to air quality	Indirect, long-term, permanent (**significant beneficial** at local level)
Locally designated sites	Changes to air quality	Indirect, long-term, permanent (**significant beneficial** at local level)
Bats - foraging/commuting	Disturbance	Direct, long term, permanent (**significant beneficial** at local level due to mitigation)
Invasive non-native species	Spreading	Direct, long-term, permanent (**significant beneficial** at local level)
Surface water quality (ES Chapter 9)		
Swansea Bay WFD Waterbody.	Direct, permanent, long-term impacts on surface water quality	Moderate (**significant beneficial**)
NRW Main Rivers – Nant Ffrwd Wyllt, Afon Cynffig (Kenfig), Afon Afan, Port Talbot Docks.	Direct, permanent, long-term impacts on surface water quality	Negligible adverse (not significant)
Ordinary watercourses on site	Direct, temporary, short-term impacts on surface water quality	Minor beneficial (not significant)

Receptor	Likely Significant Effect	Residual Effect
Groundwater Quality (ES Chapter 9)		
WFD Groundwater Body Swansea Carboniferous Coal Measures	In-direct, temporary, long-term impacts on groundwater quality	Negligible adverse (not significant)
Water Resources (ES Chapter 9)		
Afon Cynffig (Kenfig), Afon Afan, Mothers Ditch, Eglwys Nunydd Reservoir, Nant Ffrwdwyllt	Direct, permanent, long-term impacts on water resources	Negligible (not significant)
Nant Ffrwdwyllt, Port Talbot docks.	Direct, permanent, long-term impacts on water resources	Minor (not significant)
Flood Risk (ES Chapter 9)		
Less vulnerable development (on-site industrial development)	Direct, temporary, short-term impacts on flood risk	Negligible adverse (not significant)
Land Soil and Groundwater (ES Chapter 10)		
Geological units	Contamination release resulting from the improper storage, handling and disposal of raw materials, products and waste products	Minor adverse (not significant)
Peat	Contamination release resulting from the improper storage, handling and disposal of raw materials, products and waste products	Minor adverse (not significant)
Mineral resources	Contamination release resulting from the improper storage, handling and disposal of raw materials, products and waste products	Minor adverse (not significant)
Soil resources	Contamination release resulting from the improper storage, handling and disposal of raw materials, products and waste products	Minor adverse (not significant)
Hydrogeology	Contamination release resulting from the improper storage, handling and disposal of raw materials, products and waste products	Minor adverse (not significant)
Cultural heritage (ES Chapter 11)		
Chain Home Low Radar Station (GM488), Landscape around Half Moon Camp (GM477), Margam Abbey (GM005), Mynydd y Castell Camp (GM162), and Margam	Visual change within the Site associated with a change in the number of buildings and their massing.	Moderate (not significant)

Receptor	Likely Significant Effect	Residual Effect
Park Conservation Area (151) and Registered Garden (PGW(Gm)52(NEP)), and Hen Eglwys (GM163)		
Henbiniwn (00740w)	Visual change within the Site associated with a change in the number of buildings and their massing.	Minor (not significant)
Morfa Colliery (421174) and Theodrics Grange (20041)	Visual change within the Site associated with a change in the number of buildings and their massing.	Negligible (not significant)
Transport and access (ES Chapter 12)		
Drivers	Driver delay	Negligible beneficial (not significant)
Public transport users	Public transport users	Negligible beneficial (not significant)
Pedestrians, Public transport users	Pedestrian delay	Negligible beneficial (not significant)
Pedestrians, cyclists	Pedestrian amenity	Minor beneficial or negligible beneficial (not significant)
Pedestrians	Fear and intimidation	Minor beneficial or negligible beneficial (not significant)
Pedestrians, public transport users	Severance	Negligible beneficial (not significant)
Drivers, pedestrians, cyclists and public transport users	Accidents and road safety	Negligible beneficial (not significant)
Climate Change Green House Gases (GHGs) (ES Chapter 13)		
Global climatic system GHG emissions	Global climatic system GHG emissions	Major (**significant beneficial**)
Climate Change Resilience (ES Chapter 14)		
Site buildings & structures	Wind speed	Negligible (not significant)
Site buildings & structures	Water resources & flood risk	Negligible (not significant)
Site buildings & structures	Ground swell / shrinkage	Negligible (not significant)
Site buildings & processes	Mains water availability	Negligible (not significant)

Receptor	Likely Significant Effect	Residual Effect
Site habitats & species	Seasonal temperature & rainfall	**Beneficial (significant)**
Socioeconomics and health (ES Chapter 14)		
Labour force	Change in direct, indirect and induced employment during the operational phase	Major (**significant adverse**)
Businesses and associated labour force	Change in employee expenditure during the operational phase.	Moderate (**significant adverse**)
Human health	Change in health outcomes during the construction phase as a result of loss of employment	Moderate (**significant adverse**)

Table 11: Summary of Residual and Significant Effects During Operation

CONCLUSION AND PLANNING BALANCE

In the assessment of the proposed planning application the Local Planning Authority has had all due regard for the information submitted in support of the application, including the Environmental Statement. Further, it has given due consideration to all available information in relation to other plans, proposals and other Environmental Statements. Similarly, it has considered information provided by all statutory and non-statutory consultees as well as all comments submitted by members of the public. The Local Planning Authority has used this information to come to a reasonable conclusion in relation to the impacts associated with the proposed development.

During the construction of the development there would be no significant residual adverse environmental effects to air quality; noise and vibration; biodiversity; surface water; flood risk and drainage; land, soil and ground water; cultural heritage; transport and access and climate change. There are significant residual adverse visual effects after mitigation during construction to users of Longland Lane / PRoW 5/92.Pt/3. Both during construction and operation there are significant impacts identified to socio-economics and health.

During operation no other significant adverse effects are identified. There are significant beneficial effects from the development these relate to the ecological mitigation, compensation and enhancement that are proposed. Additionally significant benefits are associated with the reduction in greenhouse gas emissions from the development and the reduction in effluent discharges following the transition to steel making.

Port Talbot Steelworks is an ageing industrial installation. The applicant has outlined that much of the ‘heavy end’ infrastructure is at end-of-life and has already been closed as a result. The steelworks uses substantial amounts of carbon and is a large greenhouse gas emitter within Wales and the UK. The site was reported to contribute 20% and 2% respectively of Welsh and UK national emissions (in 2020) which in a net zero-led policy environment, and

where public and consumer pressure is increasingly focused on clean and sustainable products is unsustainable to maintain.

The site requires significant upgrade and investment to avoid the complete cessation of steelmaking at the site. This is set out clearly within the “do nothing” scenario within the ES, which would result in a significant negative socio-economic impact on a regional scale, notwithstanding the impacts upon Neath Port Talbot itself. It is generally accepted that this eventuality would cause a significant adverse economic, social and environmental effect in Port Talbot, Wales and the UK.

This proposal forms part of a £1.25bn investment in the Port Talbot facility supported by the UK and Welsh Government. The Applicant has reasonably demonstrated that the future of the Port Talbot facility is entirely dependent on the planned investment in the EAF. It is also clear this could lead to potential further investment in the site, to protect its long-term future and diversification. All identified effects of the development should be considered in this context.

In determining this application, weight must be given to the various material considerations outlined in the report and determination of where the planning balance lies between the positive and negative effects of the development. It is considered that the proposal represents an appropriate form of development where the adverse impacts of the development identified are outweighed by the benefits of the development in terms of the retention and transition to electricity based steelmaking and in terms of green house gas emmissions and zero carbon aspirations.

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 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.

RECOMMENDATION

Approve subject conditions and the signing of a legal agreement under section 106 of the Town and Country Planning Act 1990.

This agreement is to:

- **Secure biodiversity enhancement over a 30 year period**
- **Secure a Steering group for the ongoing management of the ecological mitigation.**

Additionally a Unilateral Undertaking from the developer that they would not operate/ re-open or construct any replacement sinter plant or blast furnace (without planning permission) following the grant of permission and implementation of the permission.

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 Conditions (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 be 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 constriction 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 ($L_{Ar,Tr}$) 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).

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).