



**On behalf of
CEM Minerals**

Report on Pre-Application Public Consultation

**In respect of proposed development
Land at South Dock
Newport
NP20 2WF**

**Our Ref: 230007/0001
December 2024**

**Have Your Say Limited
29, Old Field Road
Pencoed
Bridgend
CF35 5LJ**

**www.haveyoursay.wales
www.haveyoursay.cymru**

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1 Introduction

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 ("The Order") introduces into Section 61Z of the Town and Country Planning Act 1990 (as amended) a statutory requirement that all proposals for major development in Wales are subject to formal pre-application consultation.

Part 1A, Section 2F of The Order requires that any application for major development subject to the provisions of Section 61Z is accompanied by a report setting out the particulars of how the applicant has satisfied the statutory pre-application consultation requirements.

Have Your Say Limited was instructed in January 2024 to assist **CEM Minerals** to meet the requirements of the Order in respect of a proposal at **Land at South Dock, Newport NP20 2WF**.

The proposal seeks planning permission for:

"The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3-the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution"

Section 2 of this report outlines the statutory requirements of the Order.

Section 3 provides details of how the formal consultation requirements have been undertaken by Have Your Say on behalf of the applicant in accordance with the Order's requirements.

Section 4 provides a summary of the responses received to that consultation from community and statutory consultees.

Section 5 identifies how those responses have been considered by the applicant prior to the submission of this application.

Section 6 provides our conclusions.

2 Statutory requirements

Part 1A, Sections 2B-2F of the Order sets out the publicity requirements before applying for planning permission.

Section 2C (1) notes that the applicant must publicise the proposed application by giving requisite notice

- (i) by site display in at least one place on or near the land to which the proposed application relates for not less than 28 days; and
- (ii) in writing to any owner or occupier of any land adjoining the land to which the proposed application relates.

The applicant must also make available for inspection at a location in the vicinity of the proposed development for not less than 28 days beginning with each day on which each of the notices are given

- (i) any documents and particulars or evidence that would be required for a subsequent application, in the same or substantially the same form, to be a valid application except certificates in relation to notices of applications for planning permission required by article 11;
- (ii) a plan which identifies the land to which the proposed application relates;
- (iii) any other plans, drawings and information necessary to describe the development which is the subject of the proposed application;
- (iv) in a case to which article 7 applies, the design and access statement.

Any plans or drawings required to be provided by paragraph (1)(b)(ii) or (iii) must be drawn to an identified scale and, in the case of plans, must show the direction of north.

The applicant must have complied with these requirements before an application is submitted.

Where the site notice referred to in paragraph (1)(a)(i) is, without any fault or intention of the applicant, removed obscured or defaced before the period of 28 days has elapsed, the applicant will be treated as having complied with the requirements of the relevant paragraph if the applicant has taken reasonable steps to protect the notice and, if need be, replace it.

Section 2D requires that notice is given in writing to relevant community consultees and specialist consultees in the form set out in Schedules 1B and 1C. Such notice must either be accompanied by the application documents referred to in Article 2C(1)(b) or provide a link to a website on which those documents may be found.

The community consultees must be given an opportunity of not less than 28 days to respond to the notice before an application is submitted. The specialist consultees are obligated to provide a substantive response within 28 days or such other period as may be agreed between them and the applicant. For the purposes of the Order, a substantive response must meet one of the following four criteria:

- (a) states that the specialist consultee has no comment to make;
- (b) states that the specialist consultee has no objection to the proposed development and refers the applicant to current standing advice by the specialist consultee on the subject of the consultation;
- (c) advises the applicant of any concerns identified in relation to the proposed development and how those concerns can be addressed; or
- (d) advises the applicant that the specialist consultee has concerns and that it would object to an application for planning permission made in the same or substantially the same terms and sets out the reasons for those objections.

Where an applicant has been required to carry out pre-application consultation and submits an application for planning permission, that application must be accompanied by a pre-application consultation report which gives particulars of —

- (a) how the applicant complied with section 61Z of the 1990 Act;
- (b) any response to the consultation received from any person consulted under section 61Z(3) or (4) of the 1990 Act; and
- (c) the account taken of those responses.

The pre-application consultation report must also include -

- (a) a copy of the notice referred to in article 2C(1)(a)(i);
- (b) a declaration that the notice referred to in article 2C(1)(a)(i) was displayed in accordance with the requirements of that article;
- (c) a list of the addresses of persons who were given notice of the proposed application in accordance with article 2C(1)(a)(ii) and a copy of the notice given to such persons;
- (d) copies of all notices given to community consultees and specialist consultees in accordance with articles 2D(2) and 2D(3);
- (e) a summary of all issues raised by any person notified of the proposed application in accordance with section 61Z(3) of the 1990 Act and articles 2C and 2D(2), including confirmation of whether the issues raised have been addressed, and, if so, how; And
- (f) copies of all responses received from specialist consultees with an explanation of the account taken of each response.

3 Consultation

Site notice

In accordance with Article 2C(1)(a), site notices (in Welsh and English) were displayed on **22nd November 2024**, on the road frontage of the site. Copies of the site notice and a photograph of its siting are provided at Appendix A to this Statement.

Also included at Appendix A is a declaration letter to confirm that the site notice was displayed in accordance with the requirements of the Order.

Formal consultations

Formal notification letters were issued by first class post on **22nd November 2024** to the consultees set out in the Schedule at Appendix B. Copies of the letters and notices are provided at Appendix C. Where statutory consultees have previously requested notification by-email only, the letters were issued in that format.

Community consultees and residents were notified of available internet facilities at the library in Newport City Centre and were provided with a link and QR code to a project website hosted at www.haveyoursay.wales. Screen shots of the website are provided for reference at Appendix D. The website is available in both Welsh and English languages.

The website provided details of the proposal and copies of the draft planning application documentation. The documentation provided included the draft application forms

- Site Plan and Location Plan
- Plans and elevations
- Technical reports

All plans included their scale and where relevant a north arrow for orientation.

The website also provided a comments form to allow for feedback to be provided directly from the site.

4 Summary of responses

The consultation elicited no non-statutory responses to the proposal.

The consultation elicited three statutory responses within the statutory period, from South Wales Fire & Rescue (Comments withheld), Natural Resources Wales and Dwr Cymru.

The statutory consult period was extended to allow for a detailed response from NRW following the holiday period.

A copy of the statutory responses received are provided at Appendix E.

5 Response to consultation

The consultation raised a number of potentially material issues that the applicant has considered prior to submitting the formal planning application. The issues and responses are summarised below.

Topic	Issues	Response
South Wales Fire & Rescue	None. Comments will be made at later stage.	Noted.
Water and drainage	Comments provided on various issues and further information requested. Draft planning conditions provided.	There is no intent to connect to the public mains sewer, which does not extend into the South Dock. To do so would be prohibitively expensive, involve significant engineering and be outside land which the applicant will control. There is a privately owned and operated foul drainage system shown on the services plans for the surrounding area. It is the preferred intent to connect to this system. However, further investigation is required to confirm that there is capacity and discharge quality will not be affected. The fall-back position will be to maintain a cess pit/septic tank arrangement which will have the capacity for the welfare facility being proposed and the size of workforce to be accommodated.

Flood Risk	Comments provided on various issues and further information requested	Where additional comment/information/justification is requested, the reports will be amended to provide such information.
Pollution Prevention	Comments provided on various issues and further information requested.	The applicant has no objection to the inclusion of a planning condition that requires the submission of a Construction Environmental Management Plan. It is considered that there will need to be some amendment to the proposed wording to allow for the phased approach of the development, as construction details for the mill itself will not be firmly established until the first phases are in place.
Air Quality	Comments provided on various issues and further information requested.	The applicant ecologists will liaise with NRW ecologist to establish where gaps in information continue to occur and then amend the reports accordingly.
Protected Site	Comments provided on various issues and further information requested.	The applicant ecologists will liaise with NRW ecologist to establish where gaps in information continue to occur and then amend the reports accordingly.

6 Conclusions

This Statement demonstrates that the applicant has complied with the statutory requirements for pre-application consultation set out in The Order.

In particular, it has shown that the applicant has:

- Displayed the site notice for the requisite period and provided a declaration confirming this;
- Notified all relevant community and statutory consultees in writing, providing details of where the draft application documentation may be viewed and hosting these details on a bespoke website;
- Provided copies of the site notice and all notices to consultees and the addresses of notified parties;
- Reviewed the consultation responses received; and
- Considered the need for changes to the application prior to submission.

APPENDIX A



SCHEDULE 1B Articles 2C & 2D

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION Town and Country Planning (Development Management Procedure) (Wales) Order 2012

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION NOTICE UNDER ARTICLES 2C AND 2D

(to be served on owners and/or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)

Purpose of this notice: this notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at **CEM Minerals, Land at South Dock, Newport NP20 2WF**

I give notice that **CEM Minerals** are intending to apply for planning permission to **Newport City Council** for the,

"The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3-the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution".

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at www.haveyoursay.wales and computer facilities are available to view this information online at Newport Central Library, John Frost Square, Kingsway Centre, Newport NP20 1PA. Opening hours are Tuesday - Friday, 09:00 - 17:30, and Saturday 09:00 - 16:00. (Closed Monday's and Sunday's).

Anyone who wishes to make representations about this proposed development must write to the agent using the comment form on the webpage or by email: **comments@haveyoursay.wales**; or by writing to **Have Your Say Limited, 29 Old Field Road, Pencoed, Bridgend, CF35 5LJ**, by **20/12/24** (Please quote the site address in any correspondence).

Signed: Have Your Say Limited
Date: 22/11/2024

ATODLEN 1B Erthyglau 2C a 2D

**CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS CANIATÂD CYNLLUNIO
Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012**

**CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD
CYNLLUNIO
RHYBUDD DAN ERTHYGLAU 2C A 2D**

(i'w gyflwyno i berchnogion a / neu ddeiliaid tir cyfagos ac ymgynghorwyr cymunedol; a'u harddangos drwy rybudd ar y safle ar leoliad y datblygiad arfaethedig neu'n agos ato)

Pwrpas yr hysbysiad hwn: Mae'r hysbysiad hwn yn rhoi cyfle i roi sylwadau yn uniongyrchol i'r datblygwr ar ddatblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael cyhoeddusrwydd gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn amharu ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir rhoi unrhyw sylwadau a gyflwynir yn y ffeil gyhoeddus.

Datblygiad arfaethedig ar **CEM Minerals, Land at South Dock, Newport NP20 2WF**

Rwy'n hysbysu bod **CEM Minerals** yn bwriadu gwneud cais am ganiatâd cynllunio i **Cyngor Dinas Casnewydd** ar gyfer:

"The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3-the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled non-hazardous, waste materials, storage of the product and onward distribution".

Gallwch archwilio copïau o:

- y cais arfaethedig;
- y cynlluniau; a
- dogfennau ategol eraill

ar-lein yn www.haveyoursay.cymru ac mae cyfleusterau cyfrifiadur ar gael i weld y wybodaeth hon ar-lein yn Llyfrgell Ganolog Casnewydd, Sgwâr John Frost, Canolfan Ffordd y Brenin, Casnewydd NP20 1PA. Yr oriau agor yw dydd Mawrth - dydd Gwener, 09:00 - 17:30, a dydd Sadwrn 09:00 - 16:00. (Ar gau ar ddydd Llun a dydd Sul).

Rhaid i unrhyw un sy'n dymuno gwneud sylwadau am y datblygiad arfaethedig hwn ysgrifennu at yr asiant gan ddefnyddio y ffurflen sylwadau ar y dudalen we neu drwy e-bost: comments@haveyoursay.wales; neu drwy ysgrifennu at **Have Your Say Limited, 29 Old Field Road, Pencoed, Bridgend, CF35 5LJ, erbyn 20/12/24** (Dyfynnwch gyfeiriad y safle mewn unrhyw ohebiaeth).

Llofnodwyd: *HAVE YOUR SAY LIMITED*

Dyddiad: 22/11/2024

Date: 20th December 2024

Have Your Say Limited
29 Old Field Road
Pencoed
Bridgend
CF31 5LJ

Dear Sir/Madam

Pre application consultation: Display of Site Notice

I hereby confirm that, as required by Article 2F(2)(b) of the Town and Country planning (Development Management Procedure) (Wales) Amendment Order 2016, on **22/11/2024**, the statutory notice required under Article 2C(1)(a)(i) was erected in accord with the requirements of that Article, for a period of a minimum of 28 days.

A photograph of the site notice in-situ is provided as an annex to this declaration and shows the notice in situ, laminated for protection.

Yours faithfully

Signature:

A handwritten signature in black ink, appearing to read 'A Hughes', followed by a horizontal line.

Name (Print): A Hughes

Position: Director, Have Your Say Limited

Address: 29 Old Field Road, Pencoed, Bridgend CF35 5LJ



APPENDIX B



Resident Consultee List

Title	Firstname/Company	Address1	Address2	Town	County	Postcode	Consult date	End Consult date	Consult period
Owner/Occupier	Bayliss Metals	South Dock	Alexandra Docks	Newport		NP20 2NQ	22/11/2024	20/12/2024	28
Owner/Occupier	Cemex	South Dock	Alexandra Docks	Newport		NP20 2NQ	22/11/2024	20/12/2024	28
Owner/Occupier	Mole Valley Farmers	North Side	Alexandra Docks	Newport		NP20 2NQ	22/11/2024	20/12/2024	28
Owner/Occupier	Scott Timer Limited	South Dock	Alexandra Docks	Newport		NP20 2NQ	22/11/2024	20/12/2024	28
Owner/Occupier	Sims Metal UK Ltd	North Side	Alexandra Docks	Newport		NP20 2NQ	22/11/2024	20/12/2024	28
Owner/Occupier	Headland Coal		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Island Steel UK Limited		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	JP Shipping Services Limited	Port Office Building	Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	MEP Freight Services Limited	Lewis	Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Managers Office	Port Office Building	Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Visitor Centre	Transporter Bridge	Brunel Street	Newport		NP20 2JY	22/11/2024	20/12/2024	28
Owner/Occupier	Middle Quay		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Advanced Engineering (Newport) Limited		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Advanced Satellite Solutions Limited		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Arch Engineering Company Limited		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Marine Shipping Services Limited		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Mission to Seamen		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Monmouthshire Timber Supplies Limited	North Dock	Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Origin Fertilisers		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	WEDowds (Shipping) Limited		Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Wana Limited	The Broadgate Tower	20 Primrose Street	London		EC2A 2EW	22/11/2024	20/12/2024	28
Owner/Occupier	Saica Packaging UK Limited	Road 3 Industrial Estate		Winsford	Cheshire	CW7 3RJ	22/11/2024	20/12/2024	28
Owner/Occupier	Severn Sands Limited	Lock Head, South Docks	Alexandra Docks	Newport		NP20 2WZ	22/11/2024	20/12/2024	28
Owner/Occupier	Associated British Ports	25 Bedford Street		London		WC2E 9ES	22/11/2024	20/12/2024	28
Owner/Occupier	Residual Lands Limited	23A Gold Tops		Newport		NP20 4UL	22/11/2024	20/12/2024	28
Owner/Occupier	CJN Engineering	Middle Dock	Alexandra Docks	Newport		NP20 2NP	22/11/2024	20/12/2024	28
Owner/Occupier	Speedy Asset Services	Chase House	16 The Parks	Newton-le-Willows		WA12 0JQ	22/11/2024	20/12/2024	28
Owner/Occupier	Gypfor UK Limited	2nd Floor	19 Margaret Street	London		W1W 8RR	22/11/2024	20/12/2024	28
Councillor	Saeed Adan	Newport City Council	Civic Centre	Newport		NP20 4UR	22/11/2024	20/12/2024	28
Councillor	Debbie Jenkins	Newport City Council	Civic Centre	Newport		NP20 4UR	22/11/2024	20/12/2024	28

Statutory Consultee List

Title	Firstname/Company	Surname	Property/ UI	Number	Address1	Address2	Town	Postcode	Consult date	End Consult date	Consult period
Developer Services	Dwr Cymru/Welsh Water (via email)			P.O. Box 3146	Linea	Fortran Road	Cardiff	CF30 0EH	22/11/2024	20/12/2024	developer.services@dwrcymru.com
Consultations Officer	Natural Resources Wales (via e-mail)		Maes Newydd				Llandarcy	SA10 6JQ	22/11/2024	20/12/2024	southeastplanning@cyfoethnaturiolcymru.gov.u
Planning & Development Team	The Coal Authority (via e-mail)			200	Lichfield Lane		Mansfield	NG18 4RG	22/11/2024	20/12/2024	planningconsultation@coal.gov.uk
Consultations Officer	South Wales Fire & Rescue Service (via email)				Forest View Business Park		Llantrisant	CF72 8LX	22/11/2024	20/12/2024	firesafety@southwales-fire.gov.uk
Chief Highway Officer	Newport City Council				Civic Centre		Newport	NP20 4UR	22/11/2024	20/12/2024	

APPENDIX C



HYS/230007/L001Ev1

22/11/2024

«Title»

«FirstnameCompany»«Surname»

«Property_UI»

«Number»«Address1»

«Address2»

«Town»

«County»«Postcode»

Dear Sir/Madam,

CEM Minerals, Land at South Dock, Newport NP20 2WF

Please find enclosed formal notice under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) that a planning application is proposed at the above address for the following:

“The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3 - the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution.”

In accordance with the requirements of the Order the applicant has made the draft planning application available on-line for inspection and comment by Community Consultees.

You can find out more about this application and view the draft submission at **www.haveyoursay.wales** or by scanning the QR code at the bottom of this letter.

If you do not have access to a computer, public internet access is available at your local library during normal opening hours.

All comments must be received within 28 days of the receipt of this letter.

All comments made on the draft application will be considered by the applicant prior to submission of the application. Please note that any comments may be placed on the public file and made available for inspection.

Thank you for your assistance.

Yours faithfully,

HAVE YOUR SAY LIMITED



SCHEDULE 1 Article 4.(4)
Pre-application notices
SCHEDULE 1B Articles 2C & 2D
PUBLICITY AND CONSULTATION BEFORE APPLYING FOR
PLANNING PERMISSION
Town and Country Planning (Development Management Procedure) (Wales) Order
2012
PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
NOTICE UNDER ARTICLES 2C AND 2D

(to be served on owners and/or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)

Purpose of this notice:

This notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority (“LPA”). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at **Land at South Dock, Newport NP20 2WF**

I give notice that **CEM Minerals** are intending to apply for planning permission to: **Newport City Council** for:

“The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3 - the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution.”

You may inspect copies of:

- the proposed application;
- the plans; and
- other supporting documents

online at **www.haveyoursay.wales** and computer facilities are available to view this information online at Newport Central Library, John Frost Square, Newport NP20 1PA, between the hours of 09.00–17.30, Tuesday-Friday & 09.00-16.00 Saturday.

Anyone who wishes to make representations about this proposed development must write to the agent using the comment form on the webpage or by email: **comments@haveyoursay.wales**; or by writing to **Have Your Say Limited, 29 Old Field Road, Pencoed, Bridgend, CF35 5LJ**, by **20/12/2024**. (Please quote the site address in any correspondence).

Signed: Have Your Say Limited

Date: 22/11/2024

HYS/230007/L001Ev1

22/11/2024

«Title»

«FirstnameCompany»«Surname»

«Property_UI»

«Number»«Address1»

«Address2»

«Town»

«County»«Postcode»Annwyl Syr / Madam,

CEM Minerals, Land at South Dock, Newport NP20 2WF

Amgaeir hysbysiad ffurfiol yn unol â Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012 (fel y'i diwygiwyd) bod cais cynllunio yn cael ei gynnig yn y cyfeiriad uchod ar gyfer y datblygiad canlynol:

“The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3 - the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution.”

Yn unol â gofynion y Gorchymyn, mae'r ymgeisydd wedi sicrhau bod y cais cynllunio drafft ar gael ar-lein i'w archwilio ac ar gyfer sylwadau gan Ymgynghorwyr Cymunedol.

Gallwch ddarganfod mwy am y cais hwn a gweld y dogfennau drafft ar wefan **www.haveyoursay.cymru** neu drwy sganio'r cod QR ar waelod y llythyr hwn.

Os nad oes gennych fynediad i gyfrifiadur, mae mynediad i'r rhyngwrwyd ar gael yn eich llyfrgell leol yn ystod yr oriau agor arferol.

Rhaid derbyn yr holl sylwadau o fewn 28 diwrnod o dderbyn y llythyr hwn.

Bydd yr holl sylwadau a wneir ar y cais drafft yn cael eu hystyried gan yr ymgeisydd cyn cyflwyno'r cais. Sylwer efallai fydd sylwadau ar y ffeil gyhoeddus ac ar gael i'w harchwilio.

Diolch am eich cymorth.

Yr eiddoch yn gywir,

Have Your Say Ltd



ATODLEN 1 Erthygl 4. (4)
Hysbysiadau cyn ymgeisio
ATODLEN 1B Erthyglau 2C a 2D
CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS CANIATÂD CYNLLUNIO
Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012
CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD
CYNLLUNIO RHYBUDD DAN ERTHYGLAU 2C A 2D

(i'w gyflwyno i berchnogion a / neu ddeiliaid tir cyfagos ac ymgynghorwyr cymunedol; a'u harddangos drwy rybudd ar y safle ar leoliad y datblygiad arfaethedig neu'n agos ato)

Pwrpas yr hysbysiad hwn: Mae'r hysbysiad hwn yn rhoi cyfle i roi sylwadau yn uniongyrchol i'r datblygwr ar ddatblygiad arfaethedig cyn cyflwyno cais cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael cyhoeddusrwydd gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn amharu ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Nodir y gellir rhoi unrhyw sylwadau a gyflwynir ar ffeil gyhoeddus.

Datblygiad arfaethedig ar **Land at South Dock, Newport NP20 2WF**

Rwy'n hysbysu bod **CEM Minerals** yn bwriadu gwneud cais am ganiatâd cynllunio i **Cyngor Dinas Casnewydd** ar gyfer:

"The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3 - the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution."

Gallwch archwilio copïau o'r:

- cais arfaethedig;
- cynlluniau; a
- dogfennau ategol eraill

ar-lein yn (d) **www.haveyoursay.cymru** ac mae cyfleusterau cyfrifiadur ar gael i weld y wybodaeth hon ar-lein yn Y Llyfyrgeall Ganoleg Casnewydd, Sgwâr John Frost, Casnewydd, NP20 1PA, rhwng oriau 09.00-17.30 Dydd Mawth a Dydd Gwener, 09:00–16.00 Dydd Sadwrn.

Rhaid i unrhyw un sy'n dymuno gwneud sylwadau am y datblygiad arfaethedig hwn ysgrifennu at yr asiant gan ddefnyddio (i) y ffurflen sylwadau ar y dudalen we neu drwy e-bost: **comments@haveyoursay.wales**; neu (g) drwy ysgrifennu at **Have Your Say Limited, 29, Old Field Road, Pencoed, Bridgend, CF35 5LJ** gan, **20/12/2024** (Dyfynnwch gyfeiriad y safle mewn unrhyw ohebiaeth).

Llofnodwyd: HAVE YOUR SAY LTD

Dyddiad: **22/11/2024**

HYS/230007/L0001Sv1
22/11/2024

«Title»
«FirstnameCompany»«Surname»
«Property_UI»
«Number»«Address1»
«Address2»
«Town»
«County»«Postcode»

Dear Sir/Madam

CEM Minerals, Land at South Dock, Newport NP20 2WF

Please find enclosed formal notice under the Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) that a planning application is being made by **CEM Minerals** at the above address for the following development:

“The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3 - the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution.”

In accordance with the requirements of the Order, the applicant has made the draft planning application available on-line for inspection and comment by owners and/or occupiers of adjoining land and statutory consultees.

You can find out more about this application and view the draft submission at **www.haveyoursay.wales** or by scanning the QR code at the bottom of this letter.

In accordance with Article 2E of the Order a consultation response must be sent to comments@haveyoursay.wales by the date set out in the attached Notice.

All comments made on the draft application will be considered by the applicant prior to submission of the application.

Thank you for your assistance.

Yours faithfully,

HAVE YOUR SAY LIMITED

This letter is available in Welsh / Mae'r llythyr hwn ar gael yn y Gymraeg



SCHEDULE 1C Article 2D
CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
Town and Country Planning (Development Management Procedure) (Wales) Order
2012
CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
NOTICE UNDER ARTICLE 2D

(to be served on specialist consultees, as defined by article 2(1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012

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

Proposed development at (a) **Land at South Dock, Newport NP20 2WF**

I give notice that (b) **CEM Minerals** are intending to apply for planning permission to (c): **Newport City Council** for the following development:

“The development requiring planning permission is the transition from Phase 2 (permitted development by a lessee) to Phase 3 - the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution.”

A copy of the proposed application; plans; and other supporting documents can be viewed online at (d) **www.haveyoursay.wales**

In accordance with the requirements of Article 2E of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a consultation response must be sent to (e) **comments@haveyoursay.wales** by (f) **20/12/2024** (please quote the site address in any correspondence).

Signed: *Have Your Say Limited*

Date: 22/11/2024

APPENDIX D





Thank you for visiting **Have Your Say**.

To find the development project that interests you, scroll through the list below or search using the box in the top right hand corner.

CEM Minerals
South Dock,
Newport

Construction and operation
of a vertical roller mill and ancillary development
for the production of a cement substitute with
subsequent distribution of the final product

MORE >



Do you have a project you want to advertise on Have Your Say?

Contact us at enquiries@have-your-say.co.uk

Or call us on 01656 335 405



SEARCH



CEM Minerals, Alexandra Dock, Newport

CEM Minerals proposes to submit a planning application for the construction and operation of a Vertical Roller Mill and ancillary development for the production of a cement substitute with subsequent distribution of the final product.

1. Read about the proposal

CEM Minerals proposes the development of a 4.7 hectare hard-surfaced dockside site at the South Dock, Newport for the construction of a Vertical Roller Mill and ancillary development.

This development facilitates the use and manufacture of a proven cement substitute which has a significantly lower carbon footprint and, at the same time, recycles a waste product that would otherwise be sent to landfill. The product itself supports other development and plans for growth across the wider Newport area.

The proposed development is entirely within the operational land of Newport Docks and will be undertaken in three phases as follows:

- Phase 1 - site preparation, connection to services, security fencing and the provision of foundations; approximately 3 months duration.
- Phase 2 - importation, storage, and onward distribution of 100,000 tonnes per annum of cement substitute. This cement substitute is a finished product which is undergoing the normal consented operation of being unloaded and distributed from the site in smaller quantities; an installation period of 3 months for silos and specific unloading equipment followed by a minimum 12 months of operation.
- Phase 3 - the importation of up to 1,000,000 tonnes per annum of raw materials and clinker/granulated blast furnace slag; construction and operation of the mill for processing, manufacture of cement substitute and onward distribution; the slag can be stored externally on the dockside but other materials, such as the clinker, have to be stored under cover; a substation will be installed and hydrogen storage is proposed as a future use. Long term operation – no specific duration.

2. View the draft application



3. Have your say

Please click on the documents below to view the draft application submission

[illegible]



CEM Minerals, Alexandra Dock, Newport

CEM Minerals proposes to submit a planning application for the construction and operation of a Vertical Roller Mill and ancillary development for the production of a cement substitute with subsequent distribution of the final product.

1. Read about the proposal

2. View the draft application

3. Have your say



CEM Minerals, Newport

Surname *(Required)*

Postcode *(Required)*

Comments



APPENDIX E



From: Arfon Hughes arfon@mangoplanning.com 
Subject: Fwd: Statutory Pre-Application Consultation - CEM Minerals, Newport
Date: 16 December 2024 at 10:23
To: ben@haveyoursay.wales

Begin forwarded message:

From: "Owen, Steve" <s-owen@southwales-fire.gov.uk>
Subject: RE: Statutory Pre-Application Consultation - CEM Minerals, Newport
Date: 13 December 2024 at 09:56:01 GMT
To: Arfon Hughes <arfon@haveyoursay.wales>

Good morning

Trust this email finds you well.

South Wales Fire and Rescue Service have considered the application and agree with the submission.

Further comment will be made at full planning application stage.

Kind Regards, Station Manager Steve Owen

Ein cyf/Our ref: CAS-269047-T7R4
Eich cyf/Your ref: HYS/230007/L0001Sv1

Arfon Hughes
Have You Say Limited
29 Bocam Park,
Old Field Road,
Pencoed,
Bridgend,
CF35 5LJ

Dyddiad/Date: 27 December 2024

Annwyl Syr/Madam/Dear Sir/Madam,

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

BWRIAD/PROPOSAL: TRANSITION FROM PHASE 2 (PERMITTED DEVELOPMENT BY A LESSEE) TO PHASE 3 - THE STORAGE OF RAW MATERIALS, CONSTRUCTION AND OPERATION OF A MILL TO PRODUCE 'GREEN' CEMENT FROM RECYCLED, NON HAZARDOUS, WASTE MATERIALS, STORAGE OF THE PRODUCT AND ONWARD DISTRIBUTION."

LLEOLIAD/LOCATION: LAND AT SOUTH DOCK, NEWPORT NP20 2WF

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 22 November 2024.

We have concerns with the application as proposed because inadequate information has been provided. To overcome these concerns, you should provide further information in your planning application regarding protected sites and foul drainage and air quality. If this information is not provided, we may object to the planning application when formally consulted by the planning authority. Further details are provided below.

We also advise that based on the information submitted to date, we would ask the planning authority to include a condition for pollution prevention on any planning permission granted. Without the inclusion of this condition by the planning authority we would be likely to object to the planning application.

Protected sites

This development includes the construction and operation of an industrial plant for the manufacture of cement substitute from recycled waste product. The development site is adjacent to the River Usk which has been designated a site of special scientific interest (SSSI) and Special area of conservation (SAC). The river Usk drains into the Severn estuary

Marine SAC, SSSI, Ramsar and Special Protection Area (SPA) directly below the development site.

Marine Ornithology

In relation to the overwintering bird features of the Severn Estuary (SE) SPA, insufficient information has been provided to ascertain what impacts the proposed development may have on the features.

The shadow Habitats regulation assessment (sHRA) prepared by RammSanderson dated October 2024 states that the development site is 0.4km from the SE SPA but does not sufficiently assess the impacts of the development on the SPA features and their conservation objectives. Potential impacts on the SPA that should be considered in the sHRA include (but should not be limited to); loss of supporting habitat, as well as disturbance associated with both the construction and operation of the development, and the proximity of the site to waterbird roosts.

The Environmental Impact assessment (EclA) prepared by RammSanderson dated August 2024, suggests that some of the development site is unsuitable for overwintering waterbirds, however, the EclA also highlights that there are some areas which may be suitable (large ponds and other water bodies). Due to the proximity to the SPA, these may have the potential to provide supporting habitat to the SE SPA features. Whilst the EclA briefly mentions one of the SPA features (Bewicks Swan), it has not considered that the site could also be used by the full range of features of the SE SPA. It is therefore possible that overwintering bird surveys may be needed for the development site and any wider footprint.

We note that if appropriate desk studies reveal that other recent survey data is available covering this area, it may be possible to reduce or eliminate the need for dedicated surveys. Furthermore, we would also welcome any further information that concludes the site and its waterbodies to be unsuitable for overwintering waterbirds.

Pollution Prevention

Due to the close proximity of the development to several designated sites, should permission be granted we advise that a Construction Environmental Management Plan (CEMP) is produced, and this would need to include details of mitigation measures which will be implemented to avoid any adverse impacts during construction.

Condition

No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.

- 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.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities.
- 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.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

HRA

Please note that if piling will be used during construction, the HRA should assess the likely significant effect of piling vibrations on fish within the River Usk SAC. The rare fish species allis and twaite shad, features of the river Usk SAC, are especially sensitive to vibration.

The HRA should consider the likely significant effect (LSE) of disturbance to otter from external lighting associated with construction and operation of the development.

Foul Drainage

The application form states that there is an existing septic tank which has been the method of foul drainage for phase 2 (temporary welfare facilities), however, moving into stage 3 (permanent welfare facilities) of the development it is not clear whether the intention is to connect to the public mains sewer or continue using the existing method of foul drainage.

Whilst section 4.2.8 of the planning statement says '*There is foul drainage infrastructure to which the site can feasibly connect to the south of the site in East Way.*' If it is the intention to connect to the public mains sewer, we recommend the sewerage undertaker is approached to reach an agreement for a connection to the foul sewer prior to determination.

Air Quality

We have reviewed the Air Quality Assessment, prepared by Air Quality Consultants Ltd, September 2024 and offer the following comments:

Dust impacts from construction and operational activities

The assessment of operational dust impacts considers sensitive ecological receptors for River Usk SAC/ SSSI which are <400m from the site and associated roads. Four receptors are identified in the River Usk SAC/SSSI and are assessed for the size of dust emission, pathway effectiveness (using wind data) and sensitivity.

The results of each element in the operational dust impact assessment result in a dust impact risk and dust magnitude effect as 'negligible'. This is a sound conclusion given the values attributed to size of dust emission, pathway effectiveness and receptor sensitivity and identification of the sensitive feature being Atlantic upper-mid and mid-lower saltmarsh.

Traffic impacts from construction or operational activities

The assessment of potential impacts from traffic on biodiversity is presented in Appendix A7 in an attached separate report. Operational traffic impacts on sensitive ecological receptors have been quantitatively assessed using 'ADMS-roads' software but it does not seem construction traffic impacts have been screened or assessed with the same rigor. Paragraph 6.1 (p.29) of the main Air Quality report concludes no significant impact on local roadside air quality, however, the screening criteria used seems to indicate this is an assessment for human health receptors and not protected sites. We recommend further information is submitted on how the construction traffic impacts on ecological receptors have been screened/assessed.

Ecologically sensitive receptors were identified within 200m of relevant roads for the River Usk SAC/SSSI and detailed modelling was undertaken to better understand potential impacts.

The results showed percentage of process contribution of critical load or level (%PC of CLe/CLo) was <1% for all ecologically sensitive receptors in the River Usk SAC/ SSSI when the development was considered alone. No LSE was concluded.

All results for in-combination were also <1% PC of CLe/ CLo except for nutrient nitrogen deposition which was 2% PC of CLo. The feature of interest in this area is the Atlantic upper-mid and mid-low saltmarsh and the area of the site affected comprises 0.01% of the area of the SAC. It is unclear what percentage of the area of this interest feature is within the potential impact zone (it is likely this is higher than 0.01% due to the site being a river designation extending upstream, and the saltmarsh feature being restricted to the estuarine area of the SAC/ SSSI).

The rationale for concluding no LSE for the nutrient nitrogen deposition in combination figure, is not clear. Some justification is provided based on Natural England's previous decisions, but this is not fully explained and the conclusion in para 8.4 (p. 27) of Appendix A7 that "... *effects of the proposed development on biodiversity can be screened out as not significant without needing any additional assessment*" seems premature. We recommend further information be included in the the report as to why the 2% PC of CLo for N dep can be screened out as no LSE based on ecological grounds, or if it were taken through to appropriate assessment and then found to have no adverse impact on site integrity at that stage of the HRA.

Operational point source impacts

There is no consideration of potential impact on protected site features of the operational point source emissions. Screening for this has been based on Defra's Industrial Emissions

Screening tool (2017) which was developed to help local authorities determine risk of exceedances of human health pollutant limits.

There is no information in the report of screening and assessment for NO_x and nutrient nitrogen deposition impacts on ecologically sensitive receptors due to the point source emissions from the operation of the cement production facility. We recommend this information is included as part of this report, or justification as to why this has been screened out.

Please note this information is likely to be required for the Environmental Permit.

Flood Risk

The planning application proposes less vulnerable development. Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 Sea.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate through the submission of an Flood Consequences Assessment (FCA) that the potential consequences of flooding can be managed to an acceptable level.

The supporting FCA produced by Envireau Water dated July 2024 referenced 3490703 SH Newport Docks \ RPT FCA Newport for the construction and operation of an industrial plant for the manufacture of cement substitute from recycled waste product. The development will consist of a Clinker Storage Building in the east of the Site, Mill Building in the centre and a Stockroom Building in the south-west corner, adjacent the dock. The Clinker Storage Building will only have intermittent use by employees in order to fill hoppers within. The Mill Building will be two storeys with the lower storey being for storage of site vehicles. The upper floor is where personnel will be situated and will include a site office, welfare facilities and canteen. The Stockroom Building will house materials and equipment only.

Ground elevations currently range from 8.0 - 8.8m Above Ordinance Datum (AOD). Land rises gently in a northerly direction towards East Way Road and rail sidings which are at an elevation of 8.8 - 9.1m AOD. The average elevation of the Site is 8.6m AOD.

Tidal flood risk data (modelled outputs) were obtained from NRW Caldicot and Wentlooge Coastal Modelling Study (JBA Consulting, 2016). Climate change scenarios were simulated as part of the modelling study to assess coastal flood risk in the event of sea-level rise and increased wave heights (JBA Consulting, 2016). To account for possible changes in wind (wave overtopping) due to climate change, 10% was added to the offshore wind speeds modelled (JBA Consulting, 2016). The study states that the expected sea-level increase between 2014 and 2115 is 1.06m. The mean sea-level rise for Newport by 2100 is 0.85m (Welsh Government, 2021). Therefore, an assessment of flood depth and levels at the Site has been based on the predicted sea-level rise by 2100. To reflect this, the modelled flood depths were reduced by 0.21m (i.e. the difference between sea-level rise by 2115 and 2100). Using the data available the following flood levels were provided for the extreme events:

- 1 in 200 year plus climate change event (2100) - 9.35m AOD

- 1 in 1000 year plus climate change event (2100) - 9.75m AOD

Based on the existing ground levels, the site will experience flooding (0.7-1.1m) in the 1 in 200 year plus climate change event, and in the 1 in 1000 year plus climate change event (1-1.5m) – the flooding is not compliant with the requirements of A.14 or A1.15 of TAN 15.

The FCA also provided flood velocities, based on the year 2115 data (this data cannot be adjusted by the consultant) and therefore provides an over precautionary understanding of the flood velocities for the site. The velocities are above the limits set out in A1.15 of TAN 15. A Danger for All Flood Hazard for the site would be applicable given the depth and velocities provided.

In order to overcome the flood risk, the FCA recommends that the finished floor level of the Mill Building be raised to at least 9.35m AOD which is equivalent to the 1:200 year (0.5% AEP) plus climate change flood level. This will ensure that the Mill Building is flood free for the development lifetime (75 years) for all events up to the 1:200 year plus climate change tidal event, in accordance with Criteria A1.14 of TAN15. The upper storey, where personnel (offices) will primarily be based will be at a level in excess of the 1 in 1000 year flood level (9.7m AOD). Flooding during the 1 in 1000 year plus climate change will reduce to within tolerable limits of A1.15 of TAN 15.

However, the Clinker Storage Building will not be raised as personnel will not be stationed in this building; it will contain hoppers anchored to the floor which can accept inundation. All other structures will be placed on supports that raises them above the 1 in 1000 year flood level. These components of the proposals will therefore experience the above flood depths and remain non compliant with TAN 15.

The FCA calculated the volume of storage lost as 10,044 m³ which equates to a 0.3mm increase in flood depth because of the development. When this area and depth is compared to the wider floodplain along the River Usk and into the Severn Estuary of 29,000,000 m² - the loss of floodwater storage is extremely small within the context of the whole tidal floodplain. Due to the proximity to the estuary, this increase would be displaced into the sea. This level of change will not impact on nearby tidal flood defences or increase the risk of flooding to other existing development. Floodwater storage compensation at the Site is therefore not required. We are satisfied with this assessment of the impacts to third parties and agree with statements in respect third party impacts.

The FCA also recommends, alongside the raising of the FFL to the manned mill building, that the developer sign up to NRW's Flood Warning Service (Floodline) to receive flood warnings and alerts in a timely manner. A site-specific Flood Evacuation Plan should also be drawn up for the Proposed Development and will be integrated into the existing ABP Newport Docks Flood Evacuation Plan. Due to the layout of Newport Docks and presence of tidal lock gates, it is highlighted that the only means of accessing and egressing the Site is via East Way Road; there are no other routes available outside of the tidal flood zone for people or vehicles to evacuate the Site. The elevation of East Way Road cannot be raised as it would impact on access to other adjacent existing development. Therefore, a robust emergency protocol, based on egress eastwards on East Way Road, will be employed. This is appropriate as the expected tidal rate of rise of 4.5 hours, would provide adequate time to evacuate personnel from the Site in the occurrence of an extreme flood event. In the unlikely event of an unsuccessful evacuation, the upper storey of the Mill Building (offices) would provide a safe refuge area as the floor level is above the 1 in 1,000 year plus climate change

tidal flood level. We would expect the LPA Emergency Planners to review in emergency plans for the proposed site.

Given the location of the proposed development site, it will be very unlikely to achieve full compliance with TAN 15 – the occupied building as been designed to be compliant with A1.14 of TAN 15 but other components of the site including ancillary areas will receive significant flooding during the extreme events over the lifetime of the development

As it is for the Local Authority (LA) to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend the LA consult other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or grant the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Land Contamination

We have reviewed the Proposed Cemmineral Facility, South Dock, Alexandra Docks, Newport – Phase 1 Desk Study. RSK Geosciences, Project No.: 315426 R01 (00), October 2023 and note that risk to controlled waters is likely to be low – we accept these conclusions and request the following informatives be imposed on any planning permission granted.

Further site investigations are planned for the site, but these appear to relate to geotechnical engineering reason, therefore unless gross contamination is observed we do not need to see the site investigation report.

Informative

Natural Resources Wales considers that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the Land Contamination Risk Management (LCRM) guidance should be followed.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Waste disposal

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

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

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

Environmental permit

The activity proposed in this planning application may require an environmental permit or exemption under The Environmental Permitting (England and Wales) Regulations 2016. An environmental permit or exemption must be in place before any waste activity takes place on site. Advice regarding permits and exemptions can be found at the following link:

[Natural Resources Wales / Do you need to apply for a permit or register a waste exemption](#)

Please contact Natural Resources Wales for advice regarding an Environment Permit application on 0300 065 3000.

Undertaking this proposed activity without the benefit of an Environmental Permit or exemption is an offence against Environmental Legislation and may result in enforcement action being taken against the operator.

Obtaining planning permission does not necessarily ensure you will be issued an environmental permit.

Water abstraction and discharge activities

A water abstraction and discharge activity has been proposed as part of a heat exchange coolant system. Without knowing the volume or abstraction rates it is difficult to advise on what the applicant will require. Whilst this activity will likely be covered by an Environmental permit, guidance can be found on the NRW website under [Apply for a permit to discharge trade or mixed effluent](#).

Other Matters

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

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

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

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

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

Yn gywir / Yours faithfully,

Rhian Isaac

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

E-bost/E-mail: southeastplanning@cyfoethnaturiolcymru.gov.uk

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

Have Your Say Wales
29 Bocam Park
Pencoed
Bridgend
CF35 5LJ

Date: 16/12/2024
Our Ref: PPA0009089

Dear Sir/Madam,

Grid Ref: 331926 184411

Site Address: Land at South Dock, Newport

Development: Article 2D - Transition from Phase 2 to Phase 3 - The storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution.

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

APPRAISAL

Firstly, we note that the proposal relates to the storage of raw materials, construction and operation of a mill to produce 'green' cement from recycled, non-hazardous, waste materials, storage of the product and onward distribution. On Land at South Dock, Pillgwenlly, Newport and acknowledge that the site comprises of a potential windfall development with no allocated status in the Local Development Plan (LDP). Accordingly, whilst it does not appear an assessment has been previously undertaken of the public sewerage and watermains systems, we offer the following comments as part of our appraisal of this development.

PUBLIC SEWERAGE NETWORK

There is no public sewerage system in this immediate locality and therefore any new development will require provision of satisfactory alternative facilities for sewage disposal. Alternatively, the site is located approximately 1800 metres to the north of a public sewerage system that drains to Nash WwTW. It may be possible for the Developer to requisition sewers from Dwr Cymru Welsh Water under Sections 98 - 101 of the Water Industry Act 1991.

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

SURFACE WATER DRAINAGE

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

It is therefore recommended that the developer consult with Newport City Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, DCWW is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. Please refer to further detailed advice relating to surface water management included in our attached Advice & Guidance note and our Developer Services website at <https://developers.dwrcymru.com/en/help-advice/regulation-to-be-aware-of/sustainable-drainage-systems>.

In addition, please note that no highway or land drainage run-off will be permitted to discharge directly or indirectly into the public sewerage system.

FOUL WATER DRAINAGE – SEWERAGE NETWORK

It is proposed for foul water drainage to be managed via a septic tank, should proposals change and a connection to the public sewerage system approximately 1800m from the proposed development is proposed, we request that you contact us to discuss.

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



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

We welcome correspondence in
Welsh and English

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

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

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

FOUL WATER DRAINAGE – SEWAGE TREATMENT

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

POTABLE WATER SUPPLY

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

Capacity is currently available in the water supply system to accommodate the development. Initial indications are that a connection can be made from the 3inch diameter watermain in within the site boudary. We reserve the right however to reassess our position at planning application stage to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon our water systems change continually.

The proposed development is also crossed by several trunk/distribution watermains, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

ASSET PROTECTION

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

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



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

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Rhys Evans
Planning Liaison Manager
Developer Services

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



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PPA0009089

Conditions For Development Near Water Mains

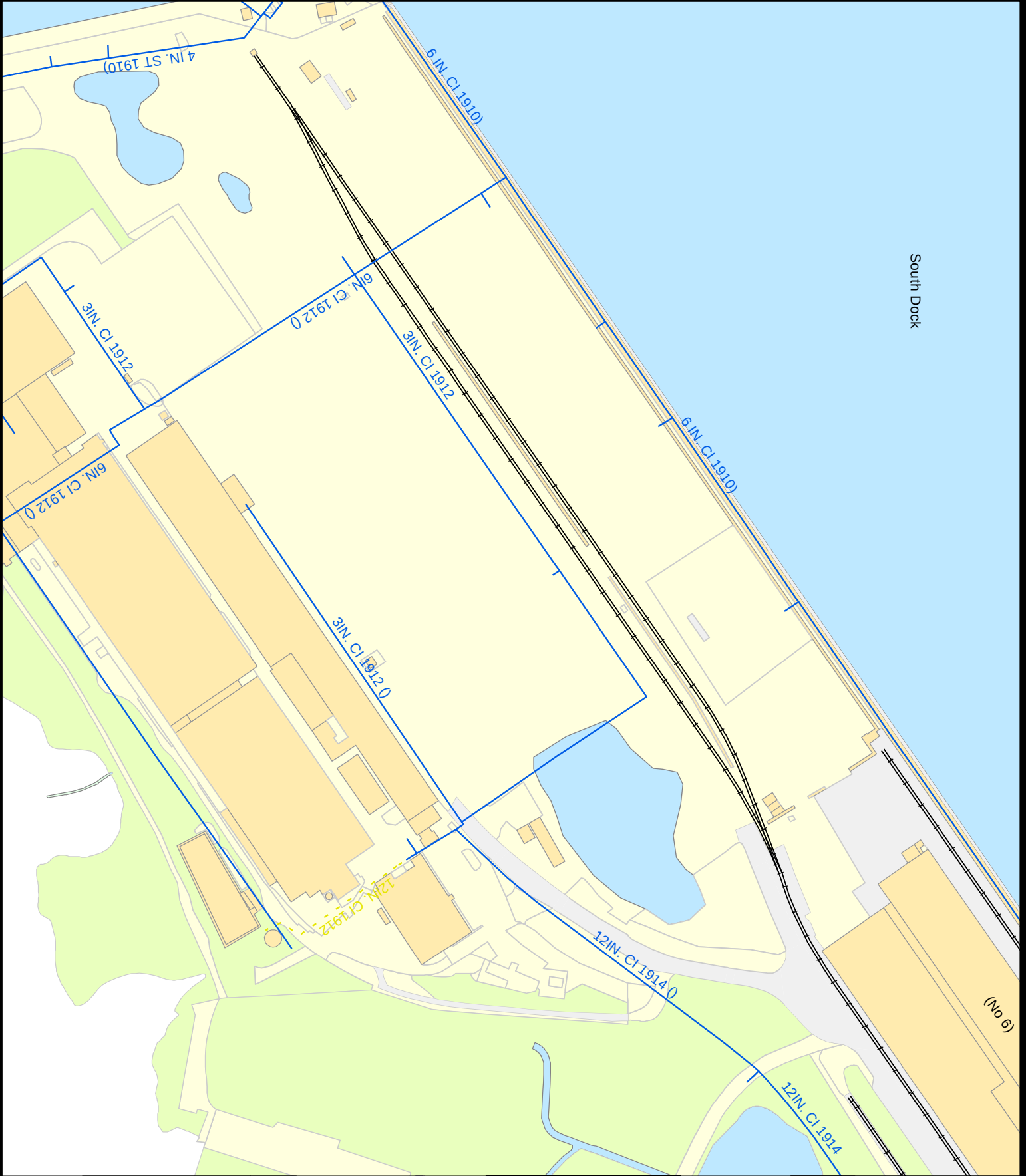
Location: Land at South Dock, Newport

Date: 12/12/2024

The development of the site with our water main located as shown on the attached plan will involve certain conditions which must be strictly adhered to.

1. No structure is to be sited within a minimum distance of **3.85 metres** either side of the centre line of the 3 & 6 inch water mains and **4 metres** either side of the centre line of the 12 inch water main. The pipeline must therefore be located and marked up accurately at an early stage so that the Developer or others understand clearly the limits to which they are confined with respect to the Company's apparatus. Arrangements can be made for Company staff to trace and peg out such water mains on request of the Developer.
2. Adequate precautions are to be taken to ensure the protection of the water main during the course of site development.
3. If heavy earthmoving machinery is to be employed, then the routes to be used in moving plant around the site should be clearly indicated. Suitable ramps or other protection will need to be provided to protect the water main from heavy plant.
4. The water main is to be kept free from all temporary buildings, building material and spoil heaps etc.
5. The existing ground cover on the water main should not be increased or decreased.
6. All chambers, covers, marker posts etc. are to be preserved in their present position.
7. Access to the Company's apparatus must be maintained at all times for inspection and maintenance purposes and must not be restricted in any way as a result of the development.
8. No work is to be carried out before this Company has approved the final plans and sections.

These are general conditions only and where appropriate, will be applied in conjunction with specific terms and conditions provided with our quotation and other associated documentation relating to this development.



PPA0009089 Water Main Plan



LEGEND

- Clean network
- Stop tap
 - Water Treatment Works
 - Water Pumping Station
 - Existing main
 - Proposed additional main
 - Rain Water
 - Water main specified colour indicates the type
 - Light Blue - Trunk
 - Dark Blue - Distribution
 - Yellow - Sewer
- Water network
- Slack valve
 - Pressure reducing valve
 - Water Meter
 - Ball water
 - Hydrant
 - Cap and
 - Air valve

Notes:

While every reasonable effort has been taken to correctly record the position of DOW assets, there is a possibility that in some cases, pipe, manhole or other features may not be shown, or their position may be slightly different from the actual position. This is due to the fact that the data used in this plan is derived from a variety of sources, including aerial photography, ground surveys and other information. The data is not intended to be used as a substitute for a site visit or other form of direct observation. The data is provided for information only and should not be used for any purpose other than that for which it was originally intended. The data is not intended to be used as a substitute for a site visit or other form of direct observation. The data is provided for information only and should not be used for any purpose other than that for which it was originally intended.

EXACT LOCATIONS OF ALL APPARATUS
TO BE DETERMINED ON SITE.

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Map Ref: 331914.184390
Map scale: 1:2625
Printed by: Jeremy Hackman
Printed on: 12 Dec 2024

APPENDIX F



Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(a)	Development likely to affect land in the area of another local planning authority	The local planning authority concerned		
(b)	Development, in relation to which an application for planning permission has been made to the Welsh Ministers under section 293A of the 1990 Act(1) (urgent Crown development: application), where that development is likely to affect land in the area of a community council	The community council		
(c)	Development within an area which has been notified to the local planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances (otherwise than on a relevant nuclear site) and which involves the provision of – (i) residential accommodation; (ii) more than 250 square metres of retail floor space; (iii) more than 500 square metres of office floor space; or (iv) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area	The Health and Safety Executive		
(d)	Development within an area which has been notified to the local planning authority by the Office for Nuclear Regulation for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances on a relevant nuclear site and which involves the provision of – (i) residential accommodation; (ii) more than 250 square metres of retail floor space; (iii) more than 500 square metres of office floor space; or (iv) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area	The Office for Nuclear Regulation		
(e)	Development likely to result in a material increase in the volume or a material change in the character of traffic – (i) entering or leaving a trunk road; or (ii) using a level crossing over a railway	The Welsh Ministers The operator of the network which includes or consists of the railway in question, and the Welsh Ministers	✓	
(f)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned	✓	
(g)	Development likely to prejudice the improvement or construction of a classified road or proposed highway	The local highway authority concerned		
(h)	Development involving – (i) the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or (ii) the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force	The local highway authority concerned The local highway authority concerned, and in the case of a road subject to a concession, the concessionaire		
(i)	Development which consists of or includes the laying out or construction of a new street	The local highway authority		
(j)	Development, other than householder development, within an area which has been notified for the purpose of this provision to the local planning authority by the Coal Authority because of the presence of land instability risks from coal mining	The Coal Authority		

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(k)	Development involving or including mining operations	The Natural Resources Body for Wales		
(l)	(i) Development which has a direct physical impact on a scheduled monument. (ii) Development likely to be visible from a scheduled monument and which meets one of the following criteria-- a) it is within a distance of 0.5 kilometres from any point of the perimeter of a scheduled monument; b) it is within a distance of 1 kilometre from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more; c) it is within a distance of 2 kilometres from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more; d) it is within a distance of 3 kilometres from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more; or e) it is within a distance of 5 kilometres from the perimeter of a scheduled monument and is 100 metres or more in height, or has an area of 1 hectare or more. (iii) Development likely to affect the site of a registered historic park or garden or its setting; (iv) Development within a registered historic landscape that requires an Environmental Impact Assessment; or (v) Development likely to have an impact on the outstanding universal value of a World Heritage Site	The Welsh Ministers	✓	
(m)	Development involving the carrying out of works or operations in the bed of or on the banks of a river or stream	The Natural Resources Body for Wales	✓	
(n)	Development for the purpose of refining or storing mineral oils and their derivatives	The Natural Resources Body for Wales		
(o)	Development relating to the retention, treatment or disposal of sewage, trade-waste, slurry or sludge (other than the laying of sewers, the construction of pump houses in a line of sewers, the construction of septic tanks and cesspools serving single dwelling houses or single caravans or single buildings in which not more than ten people will normally reside, work or congregate, and works ancillary thereto)	The Natural Resources Body for Wales	✓	
(p)	Development relating to the use of land as a cemetery	The Natural Resources Body for Wales		
		The water and sewerage undertaker concerned		
(q)	Development – (i) in or likely to affect a site of special scientific interest; or (ii) within an area which has been notified to the local planning authority by the Natural Resources Body for Wales and which is within two kilometres, of a site of special scientific interest, of which notification has been given, or has effect as if given, to the local planning authority by the Natural Resources Body for Wales, in accordance with section 28 of the Wildlife and Countryside Act 1981 (sites of special scientific interest) as applied in Wales by section 27AA of that Act(1)	The Natural Resources Body for Wales	✓	
(r)	Development involving – (i) any land on which there is a theatre; (ii) residential development (excluding householder development) within 50 metres of a theatre (not falling within paragraph (i)); or (iii) a proposed theatre.	The Theatres Trust		

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(s)	Development which is not for agricultural purposes, is not in accordance with the provisions of a development plan and involves – (i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or (ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more	The Welsh Ministers		
(t)	Development within 250 metres of land which – (i) is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and (ii) has been notified to the local planning authority by the Natural Resources Body for Wales for the purposes of this provision	The Natural Resources Body for Wales	✓	
(u)	Development which – (i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or (ii) is on land which has been: (aa) used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or (iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface	The Sports Council for Wales (2)		
(v)	Development likely to affect – (i) any inland waterway (whether natural or artificial) or reservoir owned or managed by the Canal & River Trust; or (ii) any canal feeder channel, watercourse, let off or culvert, which is within an area which has been notified for the purposes of this provision to the local planning authority by the Canal & River Trust	The Canal & River Trust		

Para	Description of Development	Consultee	Is there a need to consult?	Identified Consultee
(w)	Development – (i) involving the siting of new establishments; (ii) consisting of modifications to existing establishments covered by Article 11 of Directive 2012/18/EU(1); or (iii) which is new, including transport routes, locations of public use and residential areas in the vicinity of existing establishments, where the siting or development may be the source of or increase the risk or consequences of a major accident	The control of major accident hazards competent authority, and in relation to development falling within paragraph (iii), any person who is, according to the register held by the hazardous substances authority under regulation 22 of the Planning (Hazardous Substances) (Wales) Regulations 2015(2), the person who is in control of the land on which any existing establishment in question is located		
(x)	Development – (i) on land designated as Flood Zone C2; (ii) involving or including emergency services development or highly vulnerable development on land designated as Flood Zone C1 or on land that has been notified to the local planning authority by the Natural Resources Body for Wales for the purpose of this provision.	The Natural Resources Body for Wales		
(y)	Development – (i) involving new residential development (including single units); and (ii) which is major development not falling within paragraph (i).	The water and sewerage undertaker concerned		
(z)	Development – (i) involving waste development; (ii) involving the provision of dwellinghouses where either the number of dwellinghouses to be provided is 10 or more or the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the number of dwellinghouses to be provided is 10 or more; (iii) involving the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; (iv) carried out on a site having an area of 1 hectare or more; (v) involving the provision of 10 or more flats (whether by increasing the number of flats within an existing building or otherwise); (vi) involving the provision of residential accommodation of 10 or more rooms, not contained in dwellinghouses or flats, which are not solely used for cooking purposes and are not toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms; or (vii) involving the provision of residential accommodation of 10 or more rooms contained in a dwellinghouse or flat used as a house in multiple occupation, which are not solely used for cooking purposes and are not toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.	The Fire and Rescue Authority concerned	✓	
	Add any additional consultees identified	e.g. historic interest group, local environmental group etc		