

Our Ref : **SC/19/00005/MJR**  
Your Ref :

Date / Dyddiad: 17/05/2019



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Dear Sir/Madam

**LOCAL GOVERNMENT ACT 1972 SECTION 101  
DELEGATION OF PLANNING FUNCTIONS – SCOPING OPINION  
Application No: SC/19/00005/MJR  
Proposal: SCOPING REQUEST REPORT FOR AN ASPHALT BATCHING  
PLANT AT THE SITE OF CELSA STEELWORKS  
Location: CELSA STEEL UK, ROVER WAY, PENGAM, CARDIFF, CF24 2RX**

In accordance with the powers delegated to me by the County Council under the above Act, my decision is as follows:

The above proposal has been scoped with regard to the need for the preparation of an Environmental Statement to accompany the application, in accordance with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

## 1. Introduction

This request for a scoping opinion relates to proposals for an Asphalt Batching Plant at the site of Celsa Steelworks.

This scoping opinion has been prepared by Cardiff Council on the basis of the information contained within the request for a scoping opinion prepared by SLR Consulting Limited.

This scoping opinion request follows a screening opinion issued by the Council on 9<sup>th</sup> April 2019 (SC/19/00001/MJR), which concluded that when the proposal is taken cumulatively with other developments, it is likely to result in significant environmental effects and therefore an Environmental Statement would be required.

### **GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI**

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

### **WORKING FOR CARDIFF, WORKING FOR YOU**

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



The opinion comprises a brief description of the site and proposals, a summary of the consultation responses, and the scoping opinion.

The Local Planning Authority has taken the following into account before adopting its opinion in accordance with Regulations 14(6) of the EIA Regulations:

- a) Any information provided by the applicant about the proposed development;
- b) The specific characteristics of the particular development;
- c) The specific characteristics of development of the type concerned; and
- d) The environmental features likely to be significantly affected by the development.

## **2. Description of the Proposed Development and Site Context**

### **The Proposed Development**

The area covered by the proposed asphalt batching plant, is estimated to be 10,022m<sup>2</sup>. The plant would have the capacity to produce 250 tonnes per hour of asphalt material. The asphalt is produced using slag (a waste generated by the adjoining steel works), which has been crushed and screened to remove any metallic fraction leaving a 'quality' aggregate. The aggregate will be fed into the asphalt plant with the addition of bitumen to create a variety of specified asphalts. The process involves the materials being rotated in a drier prior to being fed into internal hoppers within the plant. The steaming and the removal of dust and particulates would be discharged via a chimney stack and a number of systems are proposed to ensure that the emissions would be less than 25mg/m<sup>3</sup>.

The recovery of slag waste would help to ensure that there is a reduction in landfill disposal and the need to source virgin materials.

It is intended the plant will operate under Celsa's environmental permit.

### **Site Context**

The site is located in an area of predominantly heavy and light industrial uses. The main link road from the east of the city to Cardiff Bay abuts the site. The nearest residential properties are located at the Rover Way Travellers site, which is located 490 metres to the north east and Willows Avenue, located 470 metres to the north. To the south, situated approximately 220 metres away, is the Severn Estuary which is a European designated Special Area of Conservation (SAC), Special Protection Area (SPA) and a Ramsar area.

The site itself is currently used for the storage of waste metal. Parts of the site are located within a flood plain, designated either Flood Zone B or C2 as defined on Natural Resources Wales (NRW) Development Advice Maps (DAMs).

### **3. Consultation Responses**

#### Air Quality

The Council's Air Quality Officer has reviewed the submitted document which outlines a proposed methodology and scope of works with regard to the air quality impacts associated with the proposed development. They have confirmed that they are satisfied with the planned approach and for the applicant to proceed with the outlined Air Quality Assessment, which will examine the construction and operational phase impacts of the proposed development.

#### Contaminated Land

The Council's Contaminated Land Officer acknowledges that Section 6.1 of the submitted report confirms that land quality is 'in scope' and that the applicant intends to consider these issues as part of an assessment of the environmental impact of the development. They acknowledge the need for ground investigation, which will need to include a robust contamination and ground gas assessment of the site in line with current guidance.

#### Noise Pollution

The Council's Noise Pollution Officer agrees with the proposed noise survey for the development, including the identified monitoring locations. They state that the developer should be aware that they will normally be required to achieve a noise rating level of -10dB (when assessed using BS4142:2014). They also ask that the noise assessments be undertaken at times when the facility intends to be in operation and that if this includes night times and / or weekends, then the noise assessments should cover these periods too.

#### Ecology and Landscape

The Council's Ecologist has noted that in the Ecology section (6.5) of the scoping request report, the applicant has correctly identified that the only ecological receptor which could be affected by the proposed development is the Severn Estuary European Marine Site. They state that the assessment should address whether the overburden of the Frag Tip has been, or will be removed, as this material currently obscures the asphalt batching plant site from the Severn Estuary habitats and associated species. This information will help inform the Council's ability to undertake a Habitats Regulations Assessment (HRA).

## Transportation

The Transportation Officer has commented that in relation to transportation, the suggested methodology to investigate the likely impact of the proposed development upon the highway is acceptable.

It is noted that at paragraph 6.6.5, it states "*Operational staff would be encouraged to travel via public transport or, if driving, park in the Celsa Steel Works car park to the north of Rover Way, accessible via Seawall Road.*" The Transportation Officer questions whether the proposal for staff members to park at the Celsa Steel Works car park to the north of Rover Way would correlate to an increase in the use of the car park. It is requested that the Transport Statement quantify the number of new staff (if any) for the proposed asphalt batching plant and their likely means of travel to the site (use of Trip Rate Information Computer System (TRICS) if no data is available). They also state that to help inform and shape the Transport Statement, SPG policies relating to off street parking and cycling should be considered (refer to Managing Transportation Impacts (Incorporating Parking Standards) SPG (July 2018)).

## Natural Resources Wales

Natural Resources Wales state that with regard to their Development Advice Maps (DAMs), the site is partially within Zone C2. They therefore state that "*if the development can be justified, a Flood Consequence Assessment (FCA) is required prior to the determination of the application*". They also advise that "*the applicant needs to fully consider all the potential impacts on the features of the Severn Estuary SAC, SPA, Ramsar and SSSI in the Environmental Statement (ES). The potential for cumulative effects of the proposed development will also need to be considered. In particular, the potential for aerial emissions to cause pollution of the Severn Estuary during operation of the development will need to be considered. Therefore, a comprehensive air quality assessment will be required.*"

They also recommended that the applicant should consider land contamination and ecological matters within the Environmental Statement.

They have identified that the location maps provided in the Scoping Request Report make it difficult to establish where the proposed red line planning boundary for the site lies on the ground. They highlight that it appears that the strip of woodland and scrub to the south of the site is not included in the proposed development site and advise that any planning application would need to be clear on this point. They also advise that all external lighting on the site would need to be directed away from the woodland scrub strip.

#### 4. Scoping Opinion Conclusion

The Council agrees with the scope of the environmental topics that have been considered in your scoping report, however have concluded that having regard to Natural Resources Wales' comments, information still needs to be submitted regarding: flood risk and impacts on the features of the Severn Estuary Designated Sites, including air quality, impacts from dust, land contamination and ecological matters.

It is therefore considered that the Environmental Impact Assessment Report is insufficient at this time, but would be acceptable subject to:

- The submission of a Flood Consequence Assessment (FCA) alongside the application;
- Consideration of all potential impacts on the features of the Severn Estuary designated sites (including cumulative effects);
- A comprehensive air quality assessment to consider the potential of aerial emissions to cause pollution of the Severn Estuary during operation of the development;
- A consideration of the impacts from dusts arising on designated sites;
- Carrying out the land contamination assessments (as proposed within the scoping request report);
- A consideration of ecological matters (including a detailed description and illustrations of the proposed works);
- The provision of further ecological specific surveys (following the extended Phase 1 habitat survey already undertaken, which has been extended to consider the potential of the site to support legally protected species);
- Confirmation that all external lighting on the site will be directed away from the woodland and scrub strip.

The Council's screening opinion (9<sup>th</sup> April 2019) concluded that *"the Environmental Statement should include, as a minimum, those matters suggested by Natural Resources Wales."* It went on to state that *"additional assessments (i.e. Traffic and Noise) will be required to be submitted as part of a planning application, but as these are local issues, they do not need to form part of an Environmental Statement."* It is still believed that given the local nature of the transport and noise impacts considered, they will not need to form part of an environmental statement, however they will be required to be submitted as part of a planning application. Aside from these local issues, the following matters should be addressed as part of the EIA for the development and reported in the Environmental Statement:

- Designated Sites;
- Air Quality;
- Hydrology;
- Ground Conditions;
- Ecology

The consultation responses summarised above, and also attached to this report, should inform the assessment of these topics, in addition to the assessment methodologies you have already identified in your report.

Please note that this Scoping Opinion is provided without prejudice and does not preclude Cardiff Council from requesting further information in accordance with Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, should the need arise.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'J' followed by a wavy line.

**James Clemence**  
**HEAD OF PLANNING**

**PLEASE REPLY TO:** Development Management, Strategic Planning, Highways and Traffic  
& Transportation, County Hall, Cardiff, CF10 4UW (e-mail:  
developmentcontrol@cardiff.gov.uk) (internet: [www.cardiff.gov.uk/dc](http://www.cardiff.gov.uk/dc))