

Notice of Decision



Porta Planning
67-69, George Street
London
W1U 8LT

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]
PLANNING (HAZARDOUS SUBSTANCES) ACT 1990
PLANNING (HAZARDOUS SUBSTANCES) REGULATIONS 1992
THE PLANNING (Control of Major-Accident Hazards) REGULATIONS 1999

Application No: 15/1109

Application Type: **Hazardous Substances**

Proposal: **HAZARDOUS SUBSTANCES CONSENT FOR THE STORAGE OF UP TO 4,999 TONNES OF FERTILISER GRADE AMMONIUM NITRATE**

Site/Location: **Land And Buildings Encompassing Sheds 8 And 9B And 9C, West Way Road, Alexandra Docks, Newport**

Decision Date: **10-Dec-2015**

In pursuance of its powers under the above Acts and Regulations, the Council of the City of Newport notifies you of its decision in respect of your application for hazardous substances consent, registered on 09-Sep-2015. The Council confirms that the application is:-

Granted with Conditions

ADDITIONAL CONDITIONS:-

1. The development shall be implemented in accordance with the following plans and documents; Supporting statement dated September 2015, 1:500 Site Location Plan and 1:10,000 Site Location Plan.
Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.
2. The Hazardous Substances shall not be kept or used other than in accordance with the particulars provided in the application, nor outside the areas marked for storage of the substances on the plan which formed part of the application.
Reason: In the interests of Health and Safety
3. The maximum throughput of ammonium nitrate shall not exceed 10,000 tonnes per annum through each building known as Shed 8, Shed 9B and Shed 9C.
Reason: In the interests of Health and Safety
4. There shall be no co-storage of urea in buildings known as Sheds 8, 9B and 9C.
Reason: In the interests of Health and Safety

NOTE TO APPLICANT

The development should be carried out fully in accordance with the proposal shown in the application and in the plans and particulars accompanying such application as varied and amended by the permission.

This decision notice is in respect of **Hazardous Substances Consent** and does not convey and decision which may be required under Town and Country Planning legislation or The Building Regulations. Advice on these issues may be obtained from Head of Regeneration, Investment and Housing, at Newport City Council.

If the applicant is aggrieved by this decision he may appeal to the Secretary of State under Section 21 of the above Act within 6 months of the date of this notice, or such longer period as the Secretary of State may at any time allow.

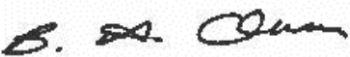
The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

01 This decision relates to the following plans: Application form (amended 16/11/2015) and Site Notice.

02 The development plan covering Newport is the Newport Local Development Plan 2011-2026 (Adopted January 2015). Policy EM2 was relevant to the determination of the application.

Signed on behalf of the Council



Beverly Owen
Head of Regeneration, Investment and Housing
Pennaeth Adfywio, Buddsoddi a Thai

Newport City Council
Regeneration, Investment and Housing
Civic Centre
NEWPORT
South Wales
NP20 4UR

Application Number: 15/1109

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IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM



Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Welsh Government

If you are aggrieved by the decision of your Local Planning Authority to refuse an application or to grant it subject to conditions, you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if you are appealing against a decision relating to a householder or minor commercial development the time limit for lodging the appeal is 12 weeks.

Appeals must be made using a form which you can get from the Welsh Government, Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ, or online at www.planningportal.gov.uk/pcs

The Welsh Government can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Welsh Government will not consider an appeal if it seems that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the condition they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Welsh Government does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

The Choice of Appeal Procedure

The appeal procedures available are:

- a) by written representations which you and the Local Planning Authority make, normally followed by an unaccompanied site inspection
- b) by Hearing, when both parties make oral representations to an Inspector appointed by the Welsh Government. A Hearing is conducted on a less formal basis than a Public Inquiry.
- c) by Public Inquiry which takes the form of a formal hearing by an Inspector appointed by the Welsh Government.

Purchase Notices

If either the Local Planning Authority or the Welsh Government refused planning permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the local planning authority in whose area the land is situated.

This Notice will require the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990. (The Local Planning Authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Government.)