

Delegated Decision Report

Application No:	26/0571	Statutory Period Expires:	19th October 2026
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Site:	Uskmouth Power Station, Land Adjacent To West Nash Road Nash Newport NP18 2BZ		
Proposal:	PARTIAL DISCHARGE OF CONDITION 7 (EV CHARGING) OF 25/0213 VARIATION OF CONDITION 01 (APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION 23/0949 FOR BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS, TO AMEND THE APPROVED DESIGN		
Applicant:	AW1 Energy Storage Limited		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	APPROVED		

1. BACKGROUND

- 1.1 The site has planning permission for the installation of a battery energy storage system at this established power station site.

2. SITE LOCATION AND CONTEXT

- 2.1 The wider site is very industrialised with existing industry to the north and across the River Usk. To the south is the RSPB Wetlands National Nature Reserve. The development will primarily be viewed in the context of the adjoining former coal fired power station and CCGT station buildings and plant that are to be retained and are of significant scale. Other BESS sites have been granted elsewhere on the former coal fired power station site. Access is via West Nash Road, a rural two lane highway.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks the partial discharge of condition 07 which states:
Prior to first beneficial operation of the development hereby approved a scheme of Ultra Low Energy Vehicle infrastructure to serve the development shall be implemented in accordance with details first submitted to and approved in writing by the LPA.
Reason: To encourage use of low emission vehicles by site users having regard to air quality. Policies GP7 and GP2 of the LDP.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
23/0949	BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	GC	11.01.2024
23/1045	PRIOR NOTIFICATION OF DEMOLITION OF 2NO. RANKS OF COOLING TOWERS AND ASSOCIATED STRUCTURES	PRIOR APPROVAL NOT REQUIRED	14.12.2023
24/0990	PARTIAL DISCHARGE OF CONDITIONS 3 (SLAB, RETAINING WALL AND PIER DETAILS), 4 (DRAINAGE STRATEGY) AND 7 (RAL COLOUR) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	APPROVED	23.01.2025
24/0993	PARTIAL DISCHARGE OF CONDITIONS 5 (CEMP), 6 (LIGHTING DETAILS), 8	APPROVED	16.01.2025

24/1016	(CONSTRUCTION PHASING AND LOGISTICS METHOD STATEMENT), 9 (ARBORICULTURAL METHOD STATEMENT) AND 10 (TREE PROTECTION PLAN) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	APPROVED	09.01.2025
25/0213	PARTIAL DISCHARGE OF CONDITION 2 (CONTAMINATION) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS		
	VARIATION OF CONDITION 01 (APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION 23/0949 FOR BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS, TO AMEND THE APPROVED DESIGN	GRANTED WITH CONDITION S	08.05.2025

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

The following LDP policies are considered to be relevant to the proposed development of this site:

- SP1 Sustainability
- SP3 Flood Risk
- SP8 Special Landscape Areas
- SP9 Conservation of the Natural, Historic and Built Environment
- SP18- Urban Regeneration
- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP3 General Development Principles – Service Infrastructure
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP6 General Development Principles – Quality of Design

- GP7 General Development Principles – Environmental Protection and Public Health
- CE2 Waterfront Development
- CE3 Environmental Spaces and Corridors
- CE8 Locally Designated Nature Conservation and Geological Sites
- CE9 Coastal Zone
- CE10 Renewable Energy
- T3 Road Hierarchy
- T8 All Wales Coast Path
- W3 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance (Adopted)

- Sustainable Travel SPG (July 2020)
- Wildlife and Development SPG (Dec 2025)
- Air Quality (SPG) (Feb 2018)

6. CONSULTATION RESPONSES

- 6.1 Local Highways Authority: no objection.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 The submitted details are as follows:

Electric vehicle charging specification
 Photograph of electric vehicle charging point installed elsewhere
 Location plan
 EV Charging Locations
 Substation Compound GA

- 8.2 The details comply with the condition and are acceptable.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

- 9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 The condition can be partially discharged.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos: 16219-220-C02 BESS Site GA - EV Charging Locations, 16219-201-C01 132 kV Substation Compound GA, EVA - App information sheet, EVA - installation/guidance manual, EVA - specification sheet, EV point installed – Photograph, covering letter by Tetrattech 20/7/26.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). The following policies were relevant to the determination of this application.

- SP1 Sustainability
- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP3 General Development Principles – Service Infrastructure
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP6 General Development Principles – Quality of Design
- GP7 General Development Principles – Environmental Protection and Public Health
- CE2 Waterfront Development
- CE3 Environmental Spaces and Corridors
- CE8 Locally Designated Nature Conservation and Geological Sites
- CE9 Coastal Zone
- CE10 Renewable Energy

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.