

Delegated Decision Report

Application No:	25/0508	Statutory Period Expires:	20th August 2025
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Site:	<i>Land At Uskmouth Power Station West Nash Road Nash Newport NP18 2BZ</i>		
Proposal:	<i>DISCHARGE OF CONDITIONS 4 (VERIFICATION REPORT) AND 5 (MONITORING PLAN) OF 23/0835 S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) AND CONDITION 02 (SITE INVESTIGATION AND RISK ASSESSMENT) OF 22/0823 INSTALLATION OF A 230 MW BATTERY ENERGY STORAGE SYSTEM (BESS). AMENDMENTS INCLUDE INCREASING THE AMOUNT OF BATTERY INFRASTRUCTURE, CHANGES TO THE SITE LAYOUT, CHANGES TO THE RED LINE BOUNDARY AND SOFT AND HARD LANDSCAPING</i>		
Applicant:	<i>C/o Agent</i>		
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 including the raising of land levels to create an elevated engineered platform designed to support the new infrastructure and mitigate flood risk.

2. SITE LOCATION AND CONTEXT

- 2.1 The application site is only part of the much larger power station. It is previously developed land. The wider site is very industrialised with existing industry close by and across the River Usk. Nearby there is the Uskmouth Power station buildings. Beyond the power station buildings (the former coal fired station and the newer gas fired station) lies the RSPB Wetlands National Nature Reserve. To the north is the Liberty Steel plant and eastward is the Welsh Water Treatment works. The development will primarily be viewed in the context of the adjoining coal fired power station buildings that are to be retained and are of significant scale.
- 2.2 There continues to be significant national and local policy support for proposals that make a positive contribution to sustainable development and energy supply resilience. Battery storage of this kind can support renewable energy generation, reduce energy wastage, and supports the transition to a low carbon economy. It can improve energy security along with a more balanced and reliable supply of electricity. Battery storage has an important role to play in the energy network and will supplement the grid during periods when supply of energy may have fallen below optimum levels for any reason. The development will also continue to secure significant investment in this underused urban industrial site.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This relates to the discharge of 2no. conditions as follows:
- 04 *Prior to the occupation or operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and*

monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency actions, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and human health, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors. SP1, GP2, GP7 of Local Development Plan.

05 Prior to the occupation or operation of the development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken.
 - Timescales for the long-term monitoring and curtailment mechanisms e.g., a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required.
 - Timescales for submission of monitoring reports to the Local Planning Authority e.g., annually.
 - Details of any necessary contingency and remedial actions and timescales for actions.
 - Details confirming that the contingency and remedial actions have been carried out.
- The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: A long-term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters and human health. SP1, GP2, GP7 of Local Development Plan.

Both conditions were requested by NRW.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
22/0823	INSTALLATION OF A 230 MW BATTERY ENERGY STORAGE SYSTEM (BESS)	GC	08/12/2022
23/0835	S73 APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) AND CONDITION 02 (SITE INVESTIGATION AND RISK ASSESSMENT) OF 22/0823 INSTALLATION OF BATTERY ENERGY STORAGE SYSTEM (BESS)	GC	23.11.2023
23/0949	BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	GC	11.01.2024
23/1045	PRIOR NOTIFICATION OF DEMOLITION OF	PRIOR	14.12.2023

24/0990	2NO. RANKS OF COOLING TOWERS AND ASSOCIATED STRUCTURES	APPROVAL NOT REQUIRED	
24/0993	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
24/1016	PARTIAL DISCHARGE OF CONDITIONS 5 (CEMP), 6 (LIGHTING DETAILS), 8 (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	16.01.2025
	PARTIAL DISCHARGE OF CONDITION 2 (CONTAMINATION) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	APPROVED	09.01.2025

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 (Aug 2015)
- Air Quality (SPG) (Feb 2018)

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

We have no objection to the discharge of conditions 4 and 5 of planning permission 23/0835.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 A Verification Report has been provided and provides details of the remediation works undertaken on site reports, in accordance with the requirements of Condition 4. The Verification Report addresses Condition 5 and long term monitoring at Section 6.3. Notwithstanding the wording of Condition 5, the findings of the extensive ground investigation on site indicate that long term monitoring is not required. NRW has raised no objection to these findings.

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 information provided to discharge conditions 04 and 05 is acceptable and approved.

11. **DECISION**

APPROVED

01 This decision relates to Uskmouth BESS 784-B055188 Materials Management Plan – Verification Report V1 By Jones Brothers Ltd June 2025.

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
- 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

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.

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.