

# Notice of Decision



G McColm  
Asbri Planning Ltd.  
Unit 9  
Oak Tree Court  
Cardiff Gate Business Park  
Cardiff  
CF23 8RS

## TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0991**  
Application Type: **Full**  
Proposal: **PROPOSED NEW BATTERY ENERGY STORAGE SYSTEM (BESS), TRENCHING FOR UNDERGROUND CABLING ASSOCIATED WITH THE SOLAR DEVELOPMENT APPROVED UNDER 23/0989 TOGETHER WITH ASSOCIATED WORKS**  
Site/Location: **Land South Of Docks Way Disposal Site, Docks Way, Newport, South Wales,**  
Decision Date: **12th February 2026**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 20th November 2025. The application has been:-

### Granted with Conditions

#### STANDARD CONDITIONS

The development must begin not later than the expiration of FIVE YEARS from the date of this permission.  
**Reason:** To conform with the requirements of Section 91 of the Town and Country Planning Act 1990

#### ADDITIONAL CONDITIONS

1. Approved Plans and Documents  
The development shall be implemented in accordance with the following plans and documents; TS010-Figure 014-BESS Location (Revision B Draft 3)(08.01.2026); TS010-Figure 011 - Battery Energy Storage System (BESS) Floor Plan and Elevation; Planning Statement / Green Infrastructure Statement; Email from Georgia McColm (09:36 22/01/2026) with Confirmation of Hedge Details; Response to NRW Consultation Comments 08.01.2026

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

#### Pre-Commencement Conditions

2. Contamination: No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
  1. A preliminary risk assessment which has identified:
    - o all previous uses
    - o potential contaminants associated with those uses
    - o a conceptual model of the site indicating sources, pathways and receptors
    - o potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination in accordance with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

#### Pre - construction conditions

3. Details of Fencing: Prior to the installation of the fencing hereby approved, full details include height, appearance and colour shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the details approved and retained for the lifetime of development. No other means of enclosure shall be installed on site.  
Reason: In the interest of good design and visual amenity in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).
4. Details of External Finish: Prior to their installation details of the external finish of the switch rooms shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained for the lifetime of development.  
Reason: In the interest of good design and visual amenity in accordance with Policy GP2 and GP6 of the NLDP 2011-2026 (adopted January 2015).

#### Pre -occupation conditions

5. Battery Safety and Management Plan: Prior to the occupation or operation of the development hereby approved, a Battery Safety Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall be completed and managed in accordance with the approved Plan thereafter.  
Reason: To safeguard against the effects of fire in the interests of amenity and the environment in accordance with Policy GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).
6. Scheme for Replacement Battery Units: Prior to occupation or operation of the development hereby approved, a scheme for the replacement of battery units and associated infrastructure over the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the cycles for battery replacement and how this will be managed having regard to the potential for pollution/waste generation. The development shall thereafter be operated in accordance with the approved details.  
Reason: To safeguard from pollution/contamination in accordance with Policies SP1, GP2 and GP7 of the NLDP 2011-2026 (adopted January 2015).

#### General Conditions

7. Implementation of Hedge Planting: The proposed hedgerow hereby approved shall be planted in full in accordance with the details provided in approved document titled "Email from Georgia McColm (09:36 22/01/2026) with Confirmation of Hedge Details." by a date not later than the end of the full planning season (October to April) immediately following the first beneficial use of the development hereby approved. Thereafter the hedgerow shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established.  
Reason: In the interests of visual amenity and biodiversity in accordance with Policy SP1, GP2 and GP5 of the NLDP 2011-2026 (adopted January 2015) and Chapter 6 of PPW12.
8. Unexpected Contamination: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.  
Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. SP1, SP9, GP5 and GP7 of the Local Development Plan.

#### NOTE TO APPLICANT

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

This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email [building.control@newport.gov.uk](mailto:building.control@newport.gov.uk). For advice on obtaining relevant

permissions from the Highway Authority, please contact [highway.planning@newport.gov.uk](mailto:highway.planning@newport.gov.uk)

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.

The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.

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.

1. This decision relates to plan Nos: TS010-Figure 013 - BESS Site Location Plan; Covering Letter.
2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP9, SP18, GP1, GP2, GP3, GP4, GP5, GP6, GP7, CE9, CE10 and T4 were relevant to the determination of this application;
3. The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

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Signed on behalf of the Council



Newport City Council  
Regeneration and Economic Development  
Civic Centre  
Newport  
South Wales  
NP20 4UR

**Tracey Brooks Bsc Hons Dip TP MRTPI ILM**  
**Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development**  
**Cyngor Dinas Casnewydd / Newport City Council**

**Application Number: 25/0991**

**Decision Date: 12th February 2026**

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

# Notes for Applicants

## TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
  - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
  - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
  - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework ([gov.wales](http://gov.wales)) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email [PEDW.Casework@gov.wales](mailto:PEDW.Casework@gov.wales)

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions 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 Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

### Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor 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 Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).