

Notice of Decision



C Macken
CarneySweeney
Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0736**

Application Type: **Full**

Proposal: **INSTALLATION OF BELOW GROUND CABLES, ALTERATIONS TO ELECTRICAL BANKING COMPOUND INCLUDING RAISING GROUND LEVELS, ADDITIONAL ACCESS AND FENCING, AND ALL ASSOCIATED WORKS**

Site/Location: **Land At Uskmouth Power Station , West Nash Road, Nash, Newport, NP18 2BZ**

Decision Date: **20th November 2025**

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 8th September 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

01 The development shall be implemented in accordance with the following plans and documents:

- Covering letter from CarneySweeney dated 1st August 2025;
- Green Infrastructure Statement by CarneySweeney;
- 50679-BUR-HFE-XX-DR-C-0351-S3-P1.0-Series 0100 - BC Fence Details Preliminaries;
- 50679-BUR-GEN-BC-DR-C-0101-A1.C4.1 - Banking Compound General Arrangement;
- 50679-BUR-HPV-XX-DR-C-0751-S3-P2.0-Series 0100 - BC Pavement Details;
- 50679-BUR-SGN-XX-DR-S-1775-S3-P3.0-SERIES 1700. - BC Retaining Wall Elevs;
- 50679-BUR-SGN-XX-DR-S-1773-S3-P3.0-SERIES 1700 - BC Retaining Wall Plan;
- 50679-BUR-SER-XX-DR-C-2751-P3.0-Series 2700. - Ducting Details Sh2;
- 50679-BUR-SER-XX-DR-C-2752-P1.0-Series 2700 - Ducting Details Sh3;
- 50679-BUR-SER-XX-DR-C-2753-P1.0-Series 2700 - Ducting Details Sh4;
- BUR-SER-XX-DR-C-2703-P5.0-Series 270 - Ducting GA Sh2;
- 50679-BUR-XX-XX-DR-C-0004-S3-P1.0-Series 0100.- Site Location Plan;
- Ducting GA Sh1 50679-BUR-SER-XX-DR-C-2702-P5.0-Series 2700 _ Services _ Primary.

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

- 02 No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
Construction methods: details of materials, how waste generated will be managed;
• General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
• Control of Nuisances and biodiversity management: details of restrictions to be applied during construction including timing, duration and frequency of works; details of dust control measures; and measures to control light spill.
• Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of wastewater.
• Traffic Management: wheel wash facilities
• Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
• Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
The CEMP shall be implemented as approved during the site preparation and construction phases of the development.
Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.
- General conditions**
- 03 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
- 04 The development hereby approved shall be undertaken in accordance with the approved Landscape and Ecology Management Plan (LEMP) prepared by RPS dated 9th November 2022 and the reporting timeframe to provide fully detailed Landscape Monitoring Reports approved in writing by the Local Planning Authority pursuant to LPA reference 25/0441. The landscape scheme shall thereafter be undertaken in strict accordance with the Landscape and Ecology Management Plan and associated reporting timeframe.
Reason: In the interests of visual amenity and ecology. SP1, GP5, SP8, SP9, GP2 of the Local Development Plan.
- 05 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
Reason: There is an increase potential for pollution of controlled waters from inappropriate methods of piling. SP1, SP9 and GP5 of Local Development Plan.
- 06 All on site above ground electrical infrastructure shall have a finished ground level no lower than 9.8m AOD.
Reason: To safeguard the development from flooding. SP1 of Local Development Plan.
- 07 All permanent fencing hereby approved shall be colour coated dark green at time of installation and shall be maintained and retained in this state thereafter.
Reason: In the interests of visual and landscape amenity. GP6 and SP8 of 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. For advice on obtaining relevant permissions from the Highway Authority, please contact 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.

01 This decision relates to plan Nos: Ducting GA Sh1 50679-BUR-SER-XX-DR-C-2702-P5.0-Series 2700 _ Services _ Primary, BUR-SER-XX-DR-C-2703-P5.0-Series 270 - Ducting GA Sh2, 50679-BUR-SER-XX-DR-C-2753-P1.0-Series 2700 - Ducting Details Sh4, 50679-BUR-SER-XX-DR-C-2752-P1.0-Series 2700 - Ducting Details Sh3, 50679-BUR-SER-XX-DR-C-2751-P3.0-Series 2700. - Ducting Details Sh2, 50679-BUR-SGN-XX-DR-S-1773-S3-P3.0-SERIES 1700 - BC Retaining Wall Plan, 50679-BUR-SGN-XX-DR-S-1775-S3-P3.0-SERIES 1700. - BC Retaining Wall Elevs, 50679-BUR-HPV-XX-DR-C-0751-S3-P2.0-Series 0100 - BC Pavement Details, 50679-BUR-GEN-BC-DR-C-0101-A1.C4.1 - Banking Compound General Arrangement, 50679-BUR-HFE-XX-DR-C-0351-S3-P1.0-Series 0100 - BC Fence Details Preliminaries, Green Infrastructure Statement by CarneySweeney August 2025.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1, SP3, SP9, GP2, GP5, GP6 were relevant to the determination of this application.

03 It is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit. Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

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.

In addition to the planning conditions, Environmental Permits from NRW may be required (during construction and operation). We recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development.

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.

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

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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) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email 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).