

Notice of Decision



C Alers-Hankey
GTH
Winchester House
Deane Gate Avenue
Taunton
TA1 2UH

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **25/0084**
Application Type: **Full**
Proposal: **SITING OF BATTERY ENERGY STORAGE SYSTEM AND ASSOCIATED WORKS INCLUDING ERECTION OF FENCING**
Site/Location: **Leeway House, Leeway, Leeway Industrial Estate, Newport, South Wales,**
Decision Date: **25th July 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 21st February 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. The development shall be implemented in accordance with the following plans and documents:
 - o 24140LEE-LHC-00-00-DR-AR-0001 P1 Battery Rack or MV Transformer Container
 - o 24140LEE-LHC-00-00-DR-AR-0103 P6 Proposed Site Layout Diagram
 - o 24140LEE-LHC-00-XX-DR-AR-0401 P2 Proposed Site Elevations with Palisade Fence
 - o 24140LEE-LHC-00-XX-DR-AR-0402 P2 Site Elevations without Palisade Fence
 - o 24140LEE-LHC-00-00-DR-AR-0102 P7 Proposed Site Plan
 - o 24140LEE-LHC-00-00-DR-AR-0002 P2 HV Switchroom GRP Enclosure
 - o 24140LEE-LHC-00-00-DR-AR-0003 P2 LV Switchroom GRP Enclosure
 - o 24140LEE-LHC-00-00-DR-AR-0004 P2 DNO Switchroom
 - o 24140LEE-LHC-00-00-DR-AR-0100-P2 Site Location Plan
 - o Planting Specification May 2025
 - o Leeway House Newport Flood Consequence Assessment Version 1 June 2025 JBA Consulting PXS-JBA-XX-XX-RP-Z-0001-S3-P01-Leeway_House_FCA
 - o Noise Impact Assessment Report No.P24-279-R01v1 December 2024
 - o Historic Environment Desk Based Assessment January 2025 Project Ref.10336A
 - o Preliminary Ecological Appraisal Revision 1 December 2024
 - o Planning Statement February 2025
- 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. No development, to include demolition, shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the following during development:
 - dust suppression measures, having regard to BRE guide 'Control of Dust from Construction and Demolition Activities;
 - contractor parking/compound;
 - details of wheel wash facilities;
 - details of delivery routes and any abnormal loads.Development works shall be implemented in accordance with the approved CMP.
Reason: In the interests of highway safety.
3. No development, (other than demolition) shall commence until:
 - A) Appropriate supplementary intrusive site investigation, risk assessment and remediation strategy (if necessary), shall be submitted and approved in writing by the Local Planning Authority.No part of the development hereby permitted shall be occupied until:
 - B) If required, a Completion/Verification Report, confirming the remediation has being carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.
 - C) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.Reason: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.
4. Prior to the commencement of development, a scheme of Biodiversity Enhancement Measure(s) and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Measure(s) shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.
Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and policies SP9 and GP5 of the Newport Local Development Plan 2011-2026.
5. Prior to occupation or operation of the development hereby approved, a Containment Plan shall be submitted to and approved in writing by the local authority. The plan shall demonstrate the following:
 - o thermal runaway detection equipment, automated alert systems, automated fire suppression systems and planned responses to a fire are adequate in detecting and prevent the spread of fire.
 - o sufficient spacing between units to help to prevent further spread of fires;
 - o contaminated firewater and foam run-off is prevented from infiltrating the ground or any offsite drainage networks with the use of impermeable surfaces, secondary containment and sealed drainage systems;
 - o the scheme includes sufficient storage capacity to contain contaminated firewater in the event of a fire. The relevant Fire and Rescue Service may advise you on what they consider to be adequate storage capacity;
 - o where the site is located within a flood risk area, demonstrate how the risk of fire from battery exposure to a flood event has been avoided, and the proposed method of containing contaminated firewater will operate effectively without the risk of pollution;
 - o the proposed method of transporting contaminated firewater off-site will be effective, including under the prevailing conditions of a fire at the site;The development shall be completed and managed in accordance with such plan thereafter.
Reason: To safeguard against the effects of fire in the interests of amenity and the environment. Policies GP2 and GP7 of the Newport Local Development Plan 2011-2026.
6. 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 traffic generation and potential for pollution/waste generation. The scheme shall thereafter be operated in accordance with the approved details.
Reason: In the interests of amenity and highway safety. SP1, GP2, GP4 and GP7 of the Local Development Plan.
7. This permission shall be for a limited period expiring on 18th July 2050 when the use shall be discontinued and any associated development with its use shall be removed from the land in its entirety and the land shall be restored to its former condition on or before 18th July 2025 in accordance with a scheme of work submitted to an approved in writing by the local planning authority prior to the commencement of development.
Reason: Permission is for a temporary period only in the interests of amenity, safety and flood risk. SP1, GP2, GP5, SP9, SP3 of the adopted Newport Local Development Plan 2011-2026.
8. No external lighting shall be erected on site unless full details have first been submitted to and agreed in writing by the Local Planning Authority. Any new lighting must avoid light spillage onto the woodland habitats to the east of the site. The development shall be carried out in accordance with the approved lighting details and retained as approved for the lifetime of development.
Reason: To ensure dark corridors are maintained around the site in the interests of Ecology. SP9 and GP2 of the Newport Local Development Plan 2011-2026.
9. The mitigation measures stipulated in the Preliminary Ecological Appraisal (dated December 2024) shall be carried out in full prior to the first beneficial use of the development hereby approved and managed/maintained thereafter.
Reason: In the interests of protecting European Protected Species. Policy GP5 and SP9 of the Newport Local Development Plan

10. The scheme of landscaping, planting specification, tree planting and management schedule hereby approved (Planting Specification May 2025) shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of the development or the first export/import of electricity, whichever is the earlier. Thereafter the trees and shrubs shall be retained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and retained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.
Reason: To secure the satisfactory implementation of the proposal in the interests of amenity and ecology. GP5, GP2 and SP9 of the Newport Local Development Plan 2011-2026.
11. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment. Policy SP1, SP3 of the Newport Local Development Plan 2011-2026.
12. Noise emitted from plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142:2014+A1:2019, does not exceed a level of 5dB below the existing background level, with no tonal element to the plant.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected. GP2 of the Newport Local Development Plan 2011-2026.
13. Hard surfacing of the site shall be in accordance with approved details and be permeable throughout. No alternative surfacing material shall be installed without details having first been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure adequate on site drainage is provided in the interests of amenity and flood risk. Policies SP1, SP3, GP2 of the Newport Local Development Plan 2011-2026.

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.

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:
 - o 24140LEE-LHC-00-00-DR-AR-0001 P1 Battery Rack or MV Transformer Container
 - o 24140LEE-LHC-00-00-DR-AR-0101 P2 Existing Site Plan
 - o 24140LEE-LHC-00-00-DR-AR-0103 P6 Proposed Site Layout Diagram
 - o 24140LEE-LHC-00-XX-DR-AR-0401 P2 Proposed Site Elevations with Palisade Fence
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 - o Planning Statement February 2025

2. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP3, GP4, GP5, GP6 and GP7 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.

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: 25/0084

Decision Date: 25th July 2025

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).