

Delegated Decision Report

Application No:	25/0441	Statutory Period Expires:	29th July 2025
Site:	Land At Uskmouth Power Station West Nash Road Nash Newport NP18 2BZ		
Proposal:	PARTIAL DISCHARGE OF CONDITIONS 6 (LEMP) AND 22 (MONITORING AND MAINTENANCE SURVEYS) 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		
Applicant:	Uskmouth 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 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 Condition 06 states;
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. A reporting timeframe to provide fully detailed Landscape Monitoring Reports is to be submitted to and approved in writing by the Local Planning Authority prior to first import or export of electricity from the site and 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.

The officer report on the original permission confirms the approved LEMP document cited in the condition but we know a timetable for monitoring reports was omitted. It is largely a directive condition save for the information specifically cited as still necessary and thereby

submitted as part of this request.

Condition 22 states:

The development shall be undertaken fully in accordance with all recommendations and mitigation measures set out in the following documents and this shall include all monitoring and maintenance requirements set out therein:

Biodiversity Mitigation and Enhancement Plan, Uskmouth Bess”, prepared by RPS, document reference ECO02497, version 1, dated 24th October 2022.

“Ecological Impact Assessment – Uskmouth BESS”, prepared by RPS, dated 8th July 2022.

“Uskmouth BESS – Water Vole and Otter Report – 2”, prepared by RPS, document reference ECO02497, dated 21st October 2022

Uskmouth Ecology Programme updated pursuant to email from agent dated 9/10/23 and approved pursuant to Local Planning Authority reference 23/0724

Ecological Mitigation and Enhancement Plan by Tetrattech revision B 29th August 2023.

Shadow Habitats Regulation Assessment v1 by RPS dated 10th November 2022.

All monitoring and maintenance related surveys will be shared with the Local Planning Authority over the lifetime of the development and a procedure for doing so shall be submitted to and approved in writing by the Local Planning Authority prior to first import/export of electricity to the site.

Reason: To safeguard European protected species. SP1, GP5 and SP9 of Local Development Plan.

This condition is clearly connected to condition 06 insofar as the final sentence is concerned.

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 (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
24/1016	PARTIAL DISCHARGE OF CONDITION 2 (CONTAMINATION) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND	APPROVED	09.01.2025

	WORKS		
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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 reviewed the submitted information and have no objection to the partial discharge of condition 22.

- 6.2 Landscape Officer:
The submitted 'Planning Condition 6 & 22 Discharge Note' by Tetra Tech states for the LEMP (below) there will be an annual management report Oct-Dec.

I would advise that the annual report should incorporate the success of new planting and seeding and a timetable for any replacement planting, this may require input from a landscape professional in tandem with the ecologist.

- 6.3 Ecology Officer:
I have no objection to partial discharge of these conditions, subject to implementation in full. The reporting timeframe has been submitted in accordance with condition 6, and a brief procedure for submitting monitoring and maintenance surveys has been provided as part of condition 22.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 The submitted information proposes a procedure for submitting future monitoring/maintenance surveys to the LPA and a timetable for doing so. Reports will be submitted for the water vole, bat licenses, BEMP, LEMP and otter in accordance with the timetable supporting this submission and the respective, approved documents. All monitoring and maintenance related survey reports will be shared with the Local Planning Authority over the lifetime of the development as per the timetable.

- 8.2 NRW is satisfied with the information submitted. The Landscape Officer raised a valid query regarding landscape monitoring reports and this matter has subsequently been clarified with the agent and a new version of supporting information provided. The Ecology Officer also confirms no objection. This is 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 information is acceptable to partially discharge the requirements of both conditions.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to document 784-B045675 Uskmouth BES PC6 22 discharge 250709 issue V2.

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
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- 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.