

Delegated Decision Report

Application No:	26/0299	Statutory Period Expires:	11th June 2026
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Site:	Uskmouth Power Station, Land Adjacent To West Nash Road Nash Newport NP18 2BZ		
Proposal:	PARTIAL DISCHARGE OF CONDITIONS 5 (BATTERY SAFETY MANAGEMENT PLAN) AND 6 (SCHEME OF REPLACEMENT BATTERY UNITS) OF 25/0213 VARIATION OF CONDITION 01 (APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION 23/0949 FOR BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS, TO AMEND THE APPROVED DESIGN		
Applicant:	AW1 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.

2. SITE LOCATION AND CONTEXT

- 2.1 The wider site is very industrialised with existing industry to the north and across the River Usk. To the south is the RSPB Wetlands National Nature Reserve. The development will primarily be viewed in the context of the adjoining former coal fired power station and CCGT station buildings and plant that are to be retained and are of significant scale. Other BESS sites are pending consideration or have been granted elsewhere on the former coal fired power station site. Access is via West Nash Road, a rural two lane highway.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The proposal seeks to partially discharge conditions 05 and 06 of s73 permission 25/0213. Condition 05 was not requested by the Fire Service but is a comparable condition imposed on other BESS developments close-by. Condition 06 was imposed by Planning Officers having regard to highway constraints and sensitive receptors potentially impacted by battery replacement requirements.

- 05 *Prior to the operation of the development hereby approved, a final Battery Safety Management Plan shall be submitted to and approved in writing by the local planning authority and shall have regard to the preliminary document entitled Battery Management Plan: Afon Wysg Battery Energy Storage System by Enso Energy July 2023. The development shall be completed and managed in accordance with the approved Final Plan thereafter.*

Reason: To safeguard against the effects of fire in the interests of amenity and the environment. GP2 and GP7 of the Local Development Plan.

- 06 *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: To safeguard against the impacts of battery replacement over the lifecycle of the development in the interests of amenity and the environment SP1, GP2 and GP7 of the Local Development Plan.

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 WORKS	APPROVED	09.01.2025
25/0213	VARIATION OF CONDITION 01 (APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION 23/0949 FOR BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS, TO AMEND THE APPROVED DESIGN	GRANTED WITH CONDITIONS	08.05.2025

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 (Dec 2025)
- Air Quality (SPG) (Feb 2018)

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

Our records show we did not request the conditions the application is seeking to discharge. Therefore, we do not have any comment to make on the application.

6.2 Local Highways Authority:

No comment as these issues do not impact highways except when abnormal loads are scheduled. This is controlled by Highway legislation so any potential impact would be managed.

6.3 Environmental Health Officer: no response. Senior Scientific Officer: no response.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 The submitted details are as follows:

Condition 5 - Battery Storage Safety Management Plan and Water Supply Report
Condition 6 - AW1 Battery Replacement Strategy

8.2 As battery development is evolving and lifecycle of batteries and associated equipment is changing, the following equipment lifecycles are based on current knowledge:

Subject to operational use (i.e. how many times the batteries are cycled) the expected

replacement timings for the key equipment are as follows:

- Battery Modules 15 Years
- Inverters 20 Years
- Medium Voltage Twin Skids 20 Years
- 33kV Transformers ≥25 Years
- 33kV Switchgear ≥25 Years
- 132kV Transformer ≥25 Years

With an anticipated 40 year lifetime of development, this may include up to 3 stages of battery replacement with other elements potentially requiring less frequent changes. The equipment will be monitored during operation to identify hazards and operability, these being assumed to be the key determining factors that would justify replacement or refurbishment of equipment. Such works will not necessarily require whole system replacement but a more piecemeal extraction as and when required. The site will develop a Replacement Execution Plan to undertake replacement of equipment when necessary, using rail where feasible and phasing to limit traffic generation. Refurbishment will also be favoured where feasible. NCC Highways Officer raises no concerns on the basis that the replacement of equipment will have limited impact on trip generation and local highway considerations. Waste will be limited, equipment life will require limited changes and batteries often have second life applications and it is known that recycling options for equipment associated with BESS is evolving at time of writing. The details are acceptable to partially discharge condition 06.

- 8.3 A Battery Safety Management Plan has been provided to satisfy condition 05. This confirms liaison with South Wales Fire and Rescue in the preparation of the plan prior to submission to the LPA. It also confirms inspection of the site layout by the Fire Service in March 2026 as part of the document review. The document details fire test reviews of the battery type being installed in on this site to better understand fire characteristics and required features for containment and fire propagation prevention. It also confirms that the system will have to meet other legal and regulatory requirements relating to Health and Safety, Electricity at Work and Construction along with guidance by the UK Fire and Rescue Service for BESS and relevant British Standards. There are numerous potential hazards over and above fire and explosion risks and a large number of reasons why such hazards may arise. Several detection systems will be installed to identify faults early. Spacing between units is also intended to limit fire spread. In-built thermal runaway prevention is achieved by liquid cooling in each unit and continual monitoring of temperature and voltage. Trips can isolate faulty units and raise alarm. Smoke, heat and combustible gas sensors and design features to minimise the effect of gas escape, fire, and explosion risk are confirmed. Operation and maintenance details are provided along with Emergency Response Plan, incident reporting and investigation protocols. The Plan includes information also relevant to condition 06 in terms of treatment of end of life battery units, confirming that they will be treated as hazardous with associated careful handling procedures required. Collection, transport and recycling shall be carried out by licensed waste carriers and authorised treatment facilities with full traceability and compliance with the Waste Batteries and Accumulators Regulations. It confirms spill containment, hazardous waste management and record keeping to include maintenance logs. The document is detailed and considered acceptable to partially discharge condition 05.

- 8.4 Additionally, a Water Supply Report has been provided having regard to the need for and impact upon water resources in the event of an emergency. Fire guidelines require access to sufficient water to deal with fires in BESS and the report shows how the site will provide adequate supply. The site will have numerous water hydrants but the report concludes that water supply will predominantly be to protect nearby structures and cables and is of limited benefit in fire fighting of the units themselves. It says:

We believe the site fire strategy is based on: (i) passive prevention of fire spread between BESS enclosures and (ii) support to FRS operations through access, separation, and emergency response planning. Large-scale fire testing for the selected BESS unit type has demonstrated containment of a fully developed fire to the initiating enclosure with no dependence on manual fire suppression or boundary cooling during the test conditions. This supports the design intent that unit-to-unit non-propagation is achieved by the product

design and layout, rather than by relying on water availability.

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 conditions were imposed by Planning Officers and were not requested by consultees on the primary permission. Notwithstanding, the documents provided are comprehensively detailed and comply with the requirements of conditions 05 and 06 and both conditions can be partially discharged insofar as the details are acceptable.

11. DECISION

APPROVED

NOTE TO APPLICANT

01 This decision relates to:

- Water Supply Report (revision1) prepared by Pearl Safety Solutions April 2026;
- Battery Storage Safety Management Plan (revision 2) prepared by Pearl Safety Solutions April 2026;
- Battery Replacement Strategy prepared by James Eaton.

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
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- CE2 Waterfront Development
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- 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.