

APPLICATION DETAILS

No: 25/0407 **Ward:** Llanwern

Type: Full (Major)

Expiry Date: 24th July 2025

Applicant: *AW2 Energy Storage Limited*

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

Proposal: *REMOVAL OF STORED PULVERISED FUEL ASH (PFA) AND THE
INSTALLATION OF A NEW BATTERY ENERGY STORAGE
SYSTEM (BESS) WITH ALL ASSOCIATED DRAINAGE,
INFRASTRUCTURE, ENGINEERING AND ASSOCIATED UTILITIES
CONNECTIONS*

Recommendation:

1. INTRODUCTION

- 1.1 This application is reported to committee as it is a major application.
- 1.2 This full application seeks planning permission for the installation of a battery energy storage system (BESS) at this established power station site including the removal of stored pulverised fuel ash (PFA) that remains on site as a by-product of the former coal fired power station, now redundant. The application site is only part of the much larger power station site and will be within the area of the Uskmouth B station on land that stretches to the south of the Combined Cycle Gas Turbine CCGT power station in third party ownership. Most of the application site comprises land approved for PFA storage in 2006 as part of the Pollution Prevention and Control (PPC) Regulations at the time. These required the power station to create a permanent ash handling facility to provide storage of the PFA and an area at which it can be loaded into rail wagons. It comprised a reinforced concrete base slab with pre-cast reinforced concrete walls. These walls are approximately 2.4m high. In this case, the PFA was retained on site and is now largely vegetated. It was hoped that it could be re-used on site but it is not suitable and has to be removed. This will take place via road over a 15 months period to another location in the UK to be used in the manufacture of construction products. It is anticipated this will result in 30 HGV movements per day (15 in and 15 out) over the period. The site will then be clear and ready for construction phase which is anticipated to take place over a 24 months period. The operational lifetime of development is expected to be 40 years although some supporting documents refer to 50 years.
- 1.3 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 coal fired power station and CCGT station buildings and plant that are to be retained and are of significant scale.



Figure 2: Aerial Image of Proposed BESS Site

- 1.3 The Uskmouth Power Station plant has previously produced thermal energy from the combustion of coal, thereby generating electricity. It began operation in 1959 and has now ceased production. This proposal will have the capacity to store electricity. This arises as electricity is directed to the proposed storage system from the grid during off peak periods (when supply is high and demand is low) and then reconverted to electricity to serve the wider grid during periods of peak demand on the distribution network. This will facilitate grid stability as energy storage can allow significant increase in intermittent renewable generation from wind and solar onto the electricity system by enhancing the balance of supply and demand. This location/site has the significant advantage of close access to the electrical grid system and an existing substation on site. As noted below, and shown above, there have been two previous applications approved within the wider site for BESS developments and a further application for a 4th BESS is anticipated in due course. In this report and for clarity sake the different schemes are as follows:

Scheme approved by 22/0823 is known as UES BESS

Scheme approved by 23/0949 is known as AW1 BESS

This scheme is known as AW2 BESS.

- 1.4 A comprehensive set of detailed information has been provided with this application. A formal Environmental Impact Assessment Screening Opinion request (24/0961) confirmed the development falls under Schedule 2, section 3a of the Town and Country Planning (Environmental Impact Assessment)(Wales) Regulations 2017 and comprises development of an industrial installation for the production of electricity and the proposal exceeds the threshold set out in the column to section 3a. Having regard to Schedule 3 of the Regulations officers confirmed the proposal was not EIA development and an Environmental Statement is not therefore required to accompany this submission. This is consistent with other BESS schemes previously determined closeby. The agent has confirmed that specific details provided to support the EIA screening have not changed as part of this application.

2. RELEVANT SITE HISTORY

06/0844 ERECTION OF NEW COMBINED GAS TURBINE POWER STATION
– this was a consultation to the Authority by the former Department of

Trade and Industry (i.e. the determining authority). This application was subsequently granted with conditions and subject to unilateral legal undertaking and the power station is now built.

- 22/0823** INSTALLATION OF A 230 MW BATTERY ENERGY STORAGE SYSTEM (BESS) – granted with conditions 8th December 2022
- 23/0949** BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS – granted with conditions 11th January 2024
- 24/0961** SCREENING OPINION FOR A PROPOSED BATTERY STORAGE SYSTEM (BESS) ON LAND AT USKMOUTH POWER STATION – not EIA development 22nd May 2024

3. POLICY CONTEXT

3.1 LDP Designations and Site Characteristics

Site Designation:

- Archaeologically Sensitive Area - CE6
- Developed Coastal Zone – CE9
- Urban Boundary
- Flood Zone 2 and 3 (Sea) and TAN15 Defended Zone
- Parking Zone 6

Nearby Designations:

- Environmental Space - Church of St Mary, Nash (1.1km west)
- Special Landscape Area - The River Usk, Caldicot Levels
- SINC –adjacent
 - Gwent Wetland Reserve (south)
- SSSI – adjacent
 - RIVER USK (LOWER USK) (north)
 - NEWPORT WETLANDS (south)
 - SEVERN ESTUARY (west)
 - NASH AND GOLDCLIFF (east)
 - ST BRIDES (west)
- RAMSAR and SPA – Severn Estuary
- Special Area of Conservation – RIVER USK / Severn Estuary
- Wales Coast Path - Adjacent to Nash Road and south of the site
- National Nature Reserve – NEWPORT WETLANDS (west and south)
- Landscape of Outstanding Historical Interest – Gwent Levels (east and west)
- Public Right of Way and Coastal Path - 401/12/1 (south)
- Accessible Natural Greenspace - Waterway (north)
- Accessible Natural Greenspace - Amenity (south)
- Historic Environment Record – Various within Uskmouth Power station

3.2 National Planning Policy and legislation

Future Wales: The National Plan 2040 (2021)

Future Wales together with PPW will ensure the planning system focuses on delivering a decarbonised and resilient Wales through the places we create the energy we generate, the natural resources and materials we use and how we live and travel. Regarding energy generation, Future Wales identifies that Wales can become a world leader in renewable energy technologies. Wales's wind and tidal resources, potential

for solar generation, its support for both large and community scaled projects and commitment to ensuring the planning system provides a strong lead for renewable energy development means it is well placed to support the renewable sector, attract new investment and reduce carbon emissions.

Policy 17 of Future Wales is of specific relevance to this project. The policy states that: "...the Welsh Government strongly supports the principle of development renewable and low carbon energy from all technologies and at all scales to meet our future energy needs. In determining planning applications for renewable and low carbon energy development, decision-makers must give significant weight to the need to meet Wales' international commitments and our target to generate 70% of consumed electricity by renewable means by 2030 in order to combat the climate emergency." It goes on to state that "...new strategic grid infrastructure for the transmission and distribution of energy should be designed to minimise visual impact on nearby communities" and "...proposals should describe the net benefits the scheme will bring in terms of social, economic, environmental and cultural improvements to local communities." In addition, to topic-based policies, Future Wales establishes four regions and policies appropriate to them. Newport is within the 'South East' region in which it is noted that decarbonisation and responding to the threats of the climate emergency should be central to all regional planning.

There is strong potential for wind, marine and solar energy generation and Strategic and Local Development Plans should provide a framework for generation and associated infrastructure. The Welsh Government wishes to see energy generation, storage and management play a role in supporting the South East Wales economy. Local ownership and distribution are important for ensuring communities in proximity to renewable energy development benefit from it and that the future energy system better serves Wales.

3.3 Planning Policy Wales (Edition 12)

National Planning policy is clear that a Globally Responsible Wales is promoted by reducing our carbon footprint through measures such as the promotion of renewable energy over carbon-emitting sources. The benefits of renewable and low carbon energy, as part of the overall commitment to tackle climate change and increase energy security, is of paramount importance. The policy notes that the planning system should optimise energy storage and maximise renewable and low carbon energy generation.

Section 5: Productive and Enterprising Places

"Embracing the challenge of decarbonising our energy and transport sectors including phasing out of fossil fuels and moving towards local, decentralised renewable energy systems, the increased use of energy storage to balance supply and demand and the challenge this creates on our distribution networks"

Energy

5.7.6: The planning system should secure an appropriate mix of energy provision, which maximises benefits to our economy and communities whilst minimising potential environmental and social impacts. This forms part of the Welsh Government's aim to secure the strongest economic development policies, to underpin growth and prosperity in Wales, recognising the importance of decarbonisation and the sustainable use of natural resources, both as an economic driver and a commitment to sustainable development.

5.7.7 The benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of

paramount importance. The continued extraction of fossil fuels will hinder progress towards achieving overall commitments to tackling climate change. The planning system should:

- integrate development with the provision of additional electricity grid network infrastructure;
- optimise energy storage;
- facilitate the integration of sustainable building design principles in new development;
- optimise the location of new developments to allow for efficient use of resources;
- maximise renewable and low carbon energy generation;
- maximise the use of local energy sources, such as district heating networks;
- minimise the carbon impact of other energy generation; and
- move away from the extraction of energy minerals, the burning of which is carbon intensive.

5.7.12 Energy storage has an important part to play in managing the transition to a low carbon economy. The growth in energy generation from renewable sources requires the management of the resultant intermittency in supply, and energy storage can help balance supply and demand. Proposals for new storage facilities should be supported wherever possible.

5.9.7 The local balance of the energy network will be a crucial consideration in this regard, and planning authorities should consider the best places for local renewable energy generation to help improve the resilience of the grid in the future.

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals. The following chapters and sections are of particular relevance in the assessment of this planning application:

- Achieving a sustainable marine economy –
 - Contribute to a thriving Welsh economy by encouraging economically productive activities and profitable and sustainable businesses that create long term employment at all skill levels.
 - Support the opportunity to sustainably develop marine renewable energy resources with the right development in the right place, helping to achieve the UK's energy security and carbon reduction objectives, whilst fully considering other's interests, and ecosystem resilience.
 - Provide space to support existing and future economic activity through managing multiple uses, encouraging the coexistence of compatible activities, the mitigation of conflicts between users and, where possible, by reducing the displacement of existing activities.
 - Recognise the significant value of coastal tourism and recreation to the Welsh economy and well-being and ensure such activity and potential for future growth are appropriately safeguarded.
- Living within environmental limits
 - Support the achievement and maintenance of Good Environmental Status (GES) and Good Ecological Status (GeS).
 - Protect, conserve, restore and enhance marine biodiversity to halt and reverse its decline including supporting the development and functioning of a well-managed and ecologically coherent network of Marine Protected Areas

(MPAs) and resilient populations of representative, rare and vulnerable species.

- Maintain and enhance the resilience of marine ecosystems and the benefits they provide in order to meet the needs of present and future generations.

The above duties have been given due consideration in the determination of this application.

3.4 **Technical Advice Notes**

Technical Advice Note (TAN) 11: noise

Technical Advice Note (TAN) 15: development and flood risk (2025)

Technical Advice Note (TAN) 18: transport

Technical Advice Note (TAN) 23: economic development

3.5 **Local Planning Policy Adopted Local Development Plan**

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
- CE6 Archaeology
- CE8 Locally Designated Nature Conservation and Geological Sites
- CE9 Coastal Zone
- CE10 Renewable Energy
- T1 Railways
- T2 Heavy Commercial Vehicle Movements
- T3 Road Hierarchy
- T4 Parking
- T8 All Wales Coast Path
- W3 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance (Adopted)

- Sustainable Travel SPG (July 2020)
- Archaeology and Archaeologically Sensitive Areas SPG (Aug 2015)
- Wildlife and Development SPG (Aug 2015)
- Parking Standards SPG (Aug 2015)
- Air Quality (SPG) (Feb 2018)

4. **CONSULTATIONS**

4.1 **HSE – EXPLOSIVES INSPECTORATE:**

From the information provided it appears that the proposed development falls within the SD3 distance of the nearby licensed explosives site, but outside SD2 distance. HSE therefore has no comment to make on the planning application provided that the development is not a vulnerable building. "Vulnerable building" means a building or structure of vulnerable construction, that is to say— (a) a building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5m² and extending over more than 50% or 120m² of the surface of any elevation; (b) a building of more than three storeys above ground or 12m in height with solid walls and individual glass panes or frangible panels larger than 1.5m² and extending over at least 50% of any elevation; (c) a building of more than 400m² plan area with continuous or individual glazing panes larger than 1.5m² extending over at least 50% or 120m² of the plan area; or (d) any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse.

HENEB:

Information in the Historic Environment Record (HER) shows that the proposal is located in an area of high archaeological potential. It is within the Newport Archaeologically Sensitive Area (ASA) and on the Gwent Levels, although outside of the Registered Landscape. The Levels is an extensive area of alluvial wetlands and intertidal mudflats that is entirely the work of man, reclaimed from the Roman period onward. They contain a proven and possibly quite vast potential for extensive, well-preserved, buried, waterlogged, archaeological and paleoenvironmental deposits surviving from earlier landscapes. Previous archaeological evaluations carried out in the area of the Power Station, such as by Glamorgan Gwent Archaeological Trust in 1997 and Pre-Consult Archaeology in 1998, have found significant archaeological deposits. These include Roman field systems, drainage works and material finds such as ceramics. The current proposal is for a containerised battery energy storage system. As such the system itself is unlikely to impact on below-ground remains. However, other facets of the proposal, such as the underground cabling, transformer stations, landscaping, water attenuation measures etc. may have an effect. Therefore, despite the modern industrial activity which is likely to have an adverse effect on any archaeological material, there is the possibility of encountering features and structures dating from the prehistoric period to the Second World War. As such it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members. This is consistent with our response to the screening request.

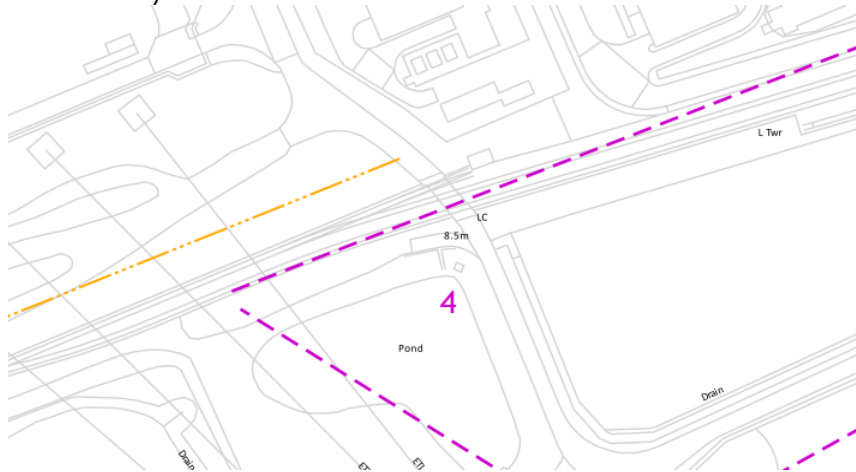
We envisage that this programme of work would take the form of a watching brief during the groundworks required for the development, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014;

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme. Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

We also recommend that a note should be attached to the planning consent explaining that: *The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.*

WALES AND WEST UTILITIES:

Standard response identify apparatus in the area. This includes the location of a high pressure pipeline outside the site as per the following plan (the approximate edge of the site area being marked by the purple dashed line and the pipeline as an orange broken line):



NATIONAL GRID:

An assessment has been carried out with respect to National Grid Electricity Transmission plc's apparatus and the proposed work location. Based on the location entered into the system for assessment the area has been found to be within the High Risk zone from National Grid Electricity Transmission plc's apparatus. Includes further advisory notes for the developer.

HEALTH AND SAFETY EXECUTIVE:

The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

WELSH WATER:

Sewerage

This application does not propose any connection to the public sewerage system, we therefore have no comments regarding drainage for this application.

Water Supply

The proposed development is crossed by a trunk/distribution watermain. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. The developer must consult Dwr Cymru Welsh Water before any development commences on site.[officers have checked the location of site against the apparatus plan provided by Welsh Water and confirm that the apparatus referred

to extends along the existing access road to the wider power station site and does not directly impact this development].

SENIOR FIRE PREVENTION OFFICER:

Large Commercial Solar Arrays, Battery Energy storage Facilities, Electric Vehicle Parking/Charging Facilities:

Fires involving the installations detailed above can be very difficult to extinguish. Conditions can cause a thermal runaway within battery cells, which is a highly exothermic reaction creating toxic, flammable, and/or explosive chemical atmospheres. The developer of such sites should ensure they have suitable safety measures to contain and restrict the spread of fire, using fire-resistant materials and adequate separation between locations where energy systems may be stored. Active fire safety systems should be incorporated into the design if necessary and may include, automatic fire detection systems, automatic fire suppression and smoke control systems. The Authority recognises that the charging of electric vehicles and the use of batteries (including lithium-ion) as Energy Storage Systems (ESS) is a new and emerging practice in the global renewable energy sector. As with all new and emerging practices within UK industry, developers should consider the risks associated with such systems early in the design stage of the project.

• The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

NEWPORT CIVIC SOCIETY: no response received to date.

NEWPORT ACCESS GROUP: no response received to date.

WILDLIFE IN NEWPORT GROUP: no response received to date.

ROYAL SOCIETY FOR PROTECTION OF BIRDS: no response received to date.

NATURAL RESOURCES WALES:

We continue to have concerns with the application as submitted. We advise that based on the information submitted to date, conditions regarding, land contamination and controlled waters, flood risk, ornithology, designated sites and protected species should be attached to any planning permission granted. Without the inclusion of these conditions we would object to this planning application.

Land Contamination and Controlled Waters

We therefore advise the following conditions be included on any permission granted:
Condition

No development, of land known to be / suspected of contamination, 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:

- a. all previous uses
 - b. potential contaminants associated with those uses
 - c. a conceptual model of the site indicating sources, pathways and receptors
 - d. 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.

Justification: 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.

Condition

Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to operation. To prevent unacceptable risks to controlled waters and ecological systems.

Condition

Prior to the operation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years)
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification: A long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters.

Condition

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.

Justification: 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.

Flood Risk

The planning application proposes the removal of stored pulverised fuel ash (PFA) and the installation of a new battery energy storage system (BESS) with all associated

drainage, infrastructure, engineering works and associated utilities connections. The Flood Map for Planning identifies the application site to be at risk of flooding and largely within Flood Zone 2 and 3 (Sea) and TAN15 Defended Zone. We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy. Our role is to provide you with detailed advice on the findings and conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea, including the impact on flooding elsewhere. For advice on flood risk from surface water and or small watercourses you should consult with your Lead Local Flood Authority.

In our previous response dated 19th June 2025, our reference: CAS-281781-M2C2 we advised:

- We are satisfied that the BESS element of the proposal will be raised above/to the precautionary 0.5% (1 in 200 year) plus climate change 2100 undefended scenario flood levels and highlight that other parts of the site will be at risk of flooding.
- With regards to the breach assessment we are of the view that for completeness of the FCA our comments regarding breach are also still valid. If the consultant determines that a breach assessment is not required justification for this must be provided.

We note the submission of a Technical Note regarding 'Breach Modelling Request' by RPS dated 25 July 2025. We confirm that this Technical Note provides justification why a full breach assessment is not being undertaken to support this planning application. As previously stated, the site benefits from flood defences and is partially within a TAN 15 Defended Zone, which according to TAN 15 requires overtopping and breach assessments. Our previous response highlighted the requirement for the further assessment, or justification for not doing such an assessment, so the FCA could be considered complete. The Technical Note states that the undefended scenario has been used to inform mitigation on site, with the FCA stating that the new proposed development on site will be raised to 9.75m AOD which is the given Undefended 0.5% (1 in 200 year) Climate Change horizon year 2100 Upper End 95th percentile confidence level flood level on site. The justification for using this to inform mitigation is given, based on the site's location, size, and access requirements. The Technical Note states 'through using an undefended model scenario, with conservative estimates of extreme water levels, the most appropriate level available has been used to inform levels of mitigation.' The Technical Note further states 'The FCA presents a direct comparison of the events and scenarios in the modelling and the required scenarios for the 2025 FCA. The report concludes that the 2016 modelling presents a conservative proxy for the required scenarios', that is that they represent flood levels with higher climate change factors than modelling undertaken after 2016. We are satisfied that a full breach assessment is not required for the site, and that mitigation is based upon the most extreme flood Sensitivity event. The justification provided in the Technical Note is sufficient to satisfy the more explicit new TAN 15 requirements for overtopping and breach. We would recommend that the finished floor level (FFL) is conditioned should planning permission be granted, with FFL set at a minimum of 9.75m AOD as suggested in the supporting FCA.

Ornithology

We welcome the breeding bird report (Uskmouth AW2 Battery Energy Storage System 784-B070326 Breeding Bird Survey Report, Revision V2, by Tetra Tech Ltd dated July 2025). We note that the surveys were undertaken late into the breeding season, although this is acknowledged under the limitations section. We also note that the surveys were spaced relatively close together and with three of the four visits occurring in mid to late in June. Combined, these mean that the surveys miss the early part of the breeding season and only represent a short period within the whole of the breeding

season and species may have been missed. We note that the habitats on site could support breeding Little Ringed Plover, a Schedule 1 species under the Wildlife & Countryside Act 1981 (as amended). While it is for your authority to decide if it has sufficient information to determine the application, given the above limitations we recommend that a Breeding Bird Protection Plan is submitted via condition. This should include details of appropriate curtailment or redirection of activities during particular times of year if additional species (such as Little Ringed Plover) are found to be nesting on site. Where buffer distances are required or need to be considered then reference should be made to Goodship & Furness 2022 or alternative published references for species not listed within Goodship & Furness 2022. Condition

No development or phase of development, shall commence until a Breeding Bird Protection Plan (BBPP) has been submitted to and approved by the Local Planning Authority. The BBPP shall include but not be limited to:

- i. Methods for survey including locations of monitoring (vantage point locations) and walked routes;
- ii. Timing and duration of monitoring;
- iii. Appropriately qualified persons and equipment to carry out monitoring;
- iv. Timing and format for presenting and dissemination of monitoring results including submission to all data relevant databases;
- v. Contingency prescriptions that will be carried out in the event of failure to undertake required surveillance;
- vi. Details of prescriptions to avoid disturbance to breeding birds; particularly in relation to species listed under Schedule 1.

The BBPP shall be carried out in accordance with the approved details. Justification: A BBPP should be submitted to ensure that potential adverse impacts on breeding birds are appropriately managed, particularly in relation to those listed under Schedule 1.

Designated Sites

The River Usk Special Area of Conservation (SAC) and the Severn Estuary Special Protection Area (SPA), SAC and Ramsar site are all located within 300m of the proposal site. In our previous response dated 19th June 2025, our reference: CAS-281781-M2C2 we requested Construction Environmental Management Plan to be conditioned should planning permission be granted to avoid impact to designated sites during construction and advised that the proposal will need to be considered under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). We have reviewed the submitted document 'Uskmouth AW2 Battery Energy Storage System 784-B070326 Report to Inform an Appropriate Assessment - Habitats Regulations Assessment Stage 1 Screening for Likely Significant Effect and Stage 2 Appropriate Assessment' Version 3 by Tetra Tech dated 29th July 2025. It is unclear whether your Authority is to 'adopt' this document in carrying out a test of likely significant effects. Generally, in consideration of the mitigation measures detailed we agree with the conclusion that the development is unlikely to have an adverse effect upon the integrity of the River Usk SAC and the Severn Estuary SPA, SAC and Ramsar site. In particular, we request we are consulted on the Construction Environmental Management Plan. We note on page 45 of the 'Report to Inform an Appropriate Assessment', under 'Discharge to Surface Water Body' that it is intended to discharge water under permit ref: LP3131SW. It is queried whether the applicant has the permission/an agreement with the permit holder to use this consented discharge point. Also it is queried how the applicant is to ensure that any additional discharges will not cause a breach of the conditions pertaining to this permit. Finally it is queried what mitigation measures will be implemented to ensure this. You may wish to consider this in fulfilling your requirements as competent Authority.

Condition

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, but not be limited to:

- 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.
 - Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
 - Soil Management: details of topsoil strip, storage and amelioration for re-use.
 - Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
 - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
 - Traffic Management: details of site deliveries, plant on site, 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 detail.
 - Landscape/ ecological clerk of works to ensure construction compliance with approved plans and environmental regulations. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.
- Justification: 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.

In preparing a CEMP, we advise the applicant to refer to the relevant guidance for pollution prevention Guidance for Pollution Prevention (GPP) documents which may be found on the NetRegs website. There is also information on our website on reporting environmental incidents. We also advise that any CEMP includes best practice measures for biosecurity, for example, ensuring that all equipment, machinery, vehicles and contactor PPE are in a clean condition prior to arrival onsite to minimise the risk of the introduction of invasive non-native species.

Advice - Battery Energy Storage System Fire Risk

The proposed scheme involves the storage of large battery systems contain lithium ion electrolytes and hydrocarbons which have the potential to cause pollution in the event of fire at the site as a result of battery failure. We are not the expert body to advise as to whether measures proposed by the applicant to minimise the risk of fire, or to suppress a fire at the site are adequate. We recommend that you seek advice from a Battery Energy and Electrical process safety expert and the relevant Fire and Rescue Service in determining whether the proposed measures to minimise the risk of fire, and to suppress a fire at the site are adequate.

Before determining the planning application, you should be satisfied that in the event of a fire all contaminated firewater can be fully contained on site and cannot enter the wider environment. We advise that measures to avoid pollution from contaminated firewater should be clearly set out by the applicant and provide sufficient detail in support of the planning application. This should include demonstration, to your satisfaction, that:

- 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. The relevant Fire and Rescue Service may advise you on these matters.
- there is sufficient spacing between units to help to prevent further spread of fires;
- 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;
- 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;
- Notwithstanding the wider TAN15 considerations, where the site is proposed within a flood risk area, 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;
- the proposed method of transporting contaminated firewater off-site will be effective, including under the prevailing conditions of a fire at the site;
- adequate post event cleanup and environmental remediation has been considered and planned.

Protected Species

We have considered the following documents:

- Planning Statement by Carney Sweeney, dated April 2025
- Design & Access Statement by Carney Sweeney, dated April 2025
- Preliminary Ecological Appraisal V3 by TetraTech, reference 784-B070326
- GCN Survey Report by Tetra Tech, dated April 2025
- Green Infrastructure Statement by Tir Collective, dated April 2025
- Landscape and Ecology Management Plan by Tir Collective, dated April 2025
- Tree Survey Report putrescene Arboricultural Consultants, dated March 2025
- Drawing P-AW2-102: Proposed General Layout Plan
- Drawing TC24293_LA100: Landscape Masterplan

We note that although the proposals are fairly extensive, the parts of the site that will be affected by the development are likely to hold little biodiversity interest; the Planning Statement contains the following useful synopsis of the site:

The application site itself extends to approximately 4 ha of land currently used for the storage of pulverised fuel ash (PFA). The PFA storage area comprises a concrete slab beneath the PFA stockpiles bound by 2.4m high reinforced concrete walls. The application site boundary also includes part of the internal access road through the Uskmouth site, rough grassland, disused railway tracks, and a balancing pond to the west. The affected areas include the concreted area under the PFA, some semi-improved grassland, scrub, existing access roads, and hardstanding. The ponds and dense scrub to the southwest is not proposed to be cleared or impacted in any notable way except for some small-scale new scrub planting on the northern boundary, which would be beneficial to any protected species present. Bats use the site for foraging and commuting, some trees are present within the red line boundary by the balancing ponds, but it is stated that all trees will be retained. The known bat roosts present on the wider Former Uskmouth Power Station site would not be directly affected by the proposals. Therefore, the only matter needing to be controlled with respect to bats is lighting. Otters are known to be present in the wider area, on the River Usk and at Newport Wetlands. The wetlands area also has records of water voles. Any otters or water voles that may be (occasionally) present, using the area of the balancing ponds (the only suitable habitat for the species within the red line boundary), would be unlikely to be adversely affected by the development. The mammal protection measures outlined in respect of badger (pp. 20-21 of the PEA) would suffice to ensure no direct harm to otters. We advise that this information should be included in the CEMP). In addition, the sensitive lighting scheme which would be required to safeguard bats will

also protect otter/water vole habitats. Page 21 of the PEA contains the following statement: "Currently P1 and P2 are to be retained, if this is to change an otter survey will be required to determine that this species is not utilising the pond habitat and surrounding scrub." If the proposals change in such a way as to impact the on-site ponds or their surrounding scrub habitat, we advise that otter and water vole surveys of the water bodies are undertaken following best practice guidance, and the results, along with any necessary mitigation proposals, are submitted to the LPA at the planning application stage. All surveys completed of the site and surrounding water bodies to date have been negative for great crested newt (GCN). We note that the PEA makes recommendations for a sensitive lighting scheme and a CEMP. We concur with this and would advise the following conditions be attached to any planning permission granted by the LPA

Condition

Construction Environmental Management Plan (see above)

Condition

Lighting Plan

Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Drawings setting out light spillage in key sensitive areas, particular the balance ponds and surrounding habitats to the west and the woodland and scrub habitats at Newport Wetlands to the south
- Details of lighting to be used both during construction and/ or operation
- Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected Species and their habitats.

Drainage

We note no foul water will be generated on site requiring disposal. For surface waters runoff disposal, we note that infiltration to ground is not suitable and that Sustainable Drainage System methods will be used to collect the runoff prior to discharge to surface water body (with treatment). The SUDS methods will be lined thereby preventing infiltration to the ground. We have no further comment on site drainage unless the design changes.

Internal Drainage District

The application site is located within NRW's Internal Drainage District. We have reviewed the 'Drainage Strategy Report – AW2 BESS, Uskmouth' Revision P2.0 by Burroughs dated April 2025 and note 3.2.1 Surface Water Runoff Destination – Level 3 which states 'The runoff will then be discharged into the existing ditch via a retained existing outfall, which is named as discharge point W1b on NRW's Discharge Consent (Ref: 20151223_SUP_LP3131SW_Var002 signed).' We advise that Land Drainage Consent will be required for discharge as identified in the Drainage Strategy Report.

5. INTERNAL COUNCIL ADVICE

5.1 HIGHWAYS OFFICER:

Highway recommendation: Further information requested.

Consultation at pre-application stage suggested that rail would be used as far as practicable. The current submission appears to assume that only road transport will be used. We would request an assessment /rationale to demonstrate that due consideration has been given to other modes of transport. We note that the abnormal indivisible loads are expected to arrive via Alexandra Dock and if the PFA were

transferred by water both would still have to traverse local roads first. We also note that PFA has historically been removed from the site by road and that the proposed operations would be less impactful than previously permitted operations. We would still request that the feasibility of removal of PFA via rail is considered in detail and any safety issues assessed. The remediation phase will be the most significant in highway terms if all material is transported by road, there would be in the order of 30 movements of HGVs per day over a 15-month period. From surveys the TA has shown that this level of traffic was exceeded on multiple occasions every year between 2010 and 2014. This establishes that in planning terms the level of traffic is less than already effectively consented. It should be noted that if this is spread evenly across the working day this would only equate to about 3 / 4 trucks per hour, which would not be considered to be a severe impact especially as the impact is only temporary. Highways cannot therefore raise any objection to this trip generation, and no capacity issues are anticipated. An assessment has been included to consider the possibility of the works overlapping with other nearby large-scale projects, which are considered unlikely, but the impacts are still acceptable with only imperceptible increases locally. The construction period will be longer, but the impacts are reduced from 30 /day to 18/day for 24 months. For the purposes of the assessments all commercial vehicles have been counted as HGVs but some would technically be smaller vehicles. We would request a Construction Environmental Management Plan (CEMP) to manage the impacts of the PFA removal and the construction period. Dilapidation surveys will be required for the HGV routes. Two abnormal indivisible loads are anticipated, we would expect a detailed assessment of their routing and timing. This should present all temporary or permanent works to enable movements and protect existing structures bridges /culverts/ street furniture/ kerbs. The CEMP must consider all potential conflicts with other road users, as well as volumes/types of traffic in detail. This will be critical to garner Highways' support but can be addressed via condition. In summary there are no objections likely subject to conditions, but further consideration of alternative transport modes is requested for the PFA removal.

5.2 LANDSCAPE OFFICER:

Visual amenity impacts are assessed as:

- limited by the existing surrounding vegetation, local landform, wider landscape trees and vegetation
- where visible this would be set against the context of the existing energy infrastructure
- the greatest impact is predicted for users of Wales Coast Path at short distance to the south within the Special Landscape Area with partially open views of the site, effects are assessed as adverse moderate-minor during construction and operation
- views will become more limited as the proposed native shrub planting establishes along the south boundary

Gate, Fence and Camera Details by econergy

The fence colour now confirmed by tir collective LVA, as dark green RAL 6005 - Moss Green.

Conditions

As acknowledged by the applicant, a detailed planting plan to detail up the Landscape Masterplan will be required, this can be conditioned, and should highlight any overhead wire constraints to planting over 5m. Outside this constraint new planting could and probably should achieve over 5m height to provide visual and biodiversity variety but if there are ecological constraints these should be identified. The shrub planting is shown north of the proposed swale so shade will not be an issue but is shown as a very narrow band in places and may require widening to provide the density of planting that

screening/softening of views required, including of the security fence line which runs along the southern boundary bank top.

5.3 ECOLOGY OFFICER:

Looking at the queries that NRW have made in their response of 09/09/25 in relation to the shadow HRA, I agree that if we are going to adopt this document as our own HRA, then we should ask the Applicant's Agent to address NRW's concerns in a revised Report to Inform an Appropriate Assessment. We would then need to reconsult NRW on the final Appropriate Assessment. My only query would be whether the existing NRW Discharge Consent (Ref: 20151223_SUP_LP3131SW_Var002 signed) has itself been subject to a HRA when the discharge consent was granted? If so, and the applicant intends to make use of this existing consent, then they could incorporate that HRA or at least its conclusions into the current Report to Inform an HRA.

In general, I support the methodology and conclusions of the Preliminary Ecological Appraisal dated December 2024. However I note that the habitat of the main area of the site is indicated as 'Cultivated/disturbed land, Ephemeral/short perennial' in the Phase 1 Habitat Plan, and I do not see that any attempt has been made to assess whether this habitat constitutes Open Mosaic Habitat on Previously Developed Land (OMHPDL), which is listed as a Priority Habitat under Section 7 of the Environment (Wales) Act. Looking at older aerial images it is clear that the habitat on the pulverised fuel ash has developed relatively recently, and that the PFA will eventually need to be removed at some point, so I am not concerned that a permanent resource of OMHPDL will be lost. Nevertheless, if the presence of this habitat had been established in the PEA, then this could have influenced the Green Infrastructure Statement (GIS). As it stands, the GIS sets out a series of avoidance, retention and mitigation measures, but does not explain how these would achieve a net benefit for biodiversity, such that the site will support greater biodiversity and ecosystem resilience value after development compared to the present baseline. Although the GIS states that 'The proposals would result in habitat enhancement and creation that will increase diversity across a range of species groups', no evidence is provided that the loss of extent, diversity, connectivity and condition of the ecosystem would be compensated for to the extent that these attributes are greater after development than before. Therefore we should use a planning condition to require the submission and implementation of a biodiversity enhancement scheme which sets out in detail how a net gain in biodiversity and ecosystem resilience will be achieved.

5.4 SENIOR SCIENTIFIC OFFICER:

No response received.

5.5 ENVIRONMENTAL HEALTH OFFICER:

No response received.

5.6 TREE OFFICER:

No objections.

5.7 DRAINAGE/SAB OFFICER:

Confirms the following intentions as part of the SAB application though in the full application they have not submitted the drainage calculations as per our standards, so SAB is waiting for this to come back to clarify:

...the surface water design does not propose any changes to the existing outgoing headwall / weir wall at the consenting point (w1b). To satisfy the SAB authority, the applicants have had to significantly reduce the discharge rates and volumes entering the pond. As a result of the proposed BESS works, flows entering the ponds will be smaller not larger.

5.8 STRUCTURES OFFICER:

No response received.

5.9 PUBLIC RIGHTS OF WAY OFFICER:

No response received.

5.10 WASTE OFFICER:

No objections.

6. REPRESENTATIONS

6.1 NEIGHBOURS:

All properties within 50m with the application site were consulted (2 properties), a site notice displayed 6th June 2025, and a press notice published in South Wales Argus on 21st June 2025. One response from Severn Power was received objecting to the proposals:

We are the operators of the Severn Power combined cycle gas turbine (CCGT) power station on the site immediately to the north of the land. We wish to raise the concerns set out below in connection with the application and voice our strong objection to the Lithium-ion battery energy storage system (BESS) being built adjacent to Severn Power Station.

Risks from a BESS facility in this location

This application is in addition to two approved BESS facilities which already have planning permission. The first of these is situated to the southeast of the CCGT power station (planning permission 22/0823) and is nearing completion and the second is currently in progress and to the east (planning permission 23/0949). The application therefore represents the third such facility and it is notably closer to the CCGT power station.

Fire and explosion risk

- BESS facilities, and especially those storing lithium-ion batteries, are at a known risk of thermal runaway, the battery cells spontaneously overheat in storage leading to fires and potential explosive events. Globally there have been documented catastrophic fires at BESS sites, and in the UK the most recent explosion at Orsted's Battery Energy Storage System site in Carnegie Road, Liverpool, Merseyside in 2020 caused toxic vapours to be released into the air and fires so large they were difficult to extinguish. Other international examples include: McMicken, Arizona, 2019; Dahongmen, Beijing, 2021; Warwick, New York State, 2023; Moss Landing, California, 2025. Each of these were associated with thermal runaway, and common features included the existence of fire and explosion risk, dangerous vapours, loss of power supply and environmental contamination. In the most recent California example, the evacuation of up to 1500 residents and the closure of nearby roads and infrastructure was necessary.

- We are concerned that the proximity to the CCGT power station, which also must be considered cumulatively with the two BESS facilities already approved, presents an unacceptable risk to human life and endangering the surrounding environment. This site would run parallel to the gas pipes coming in from under the river Usk and feeding into the power station. These pipes carry high pressure gas to fuel the power station. The devastation caused by a fire at the BESS storage site next to this gas line is unimaginable. A major incident event at the power station itself would also cause a knock-on event at the BESS facility. The immediate proximity of the CCGT power station, less than 40 metres to the north, presents an unacceptable risk in the event that such thermal runaway or overheating occurs.

Toxic Chemicals

- When the location for the BESS facility is assessed alongside the above considerations, taking into account that the CCGT power station has an output of

almost a gigawatt, it could result in a catastrophic scenario should significant thermal runaway or overheating occur. Hydrofluoric acid vapours and associated debris could cause a significant contaminant risk to the river Usk, the various ponds in close proximity on the power station peninsula, and to the wider environment around Newport. There would be a very real risk to human life both at the CCGT power station and in the near environment given the presence of the Newport Uskmouth Sailing Club only a couple of hundred metres away.

- Such an occurrence would cause very significant issues with the power supply. Damage to the switch area could lead to the majority of Wales losing power, an entirely unacceptable scenario. In the event of an explosion or similar serious incident, the power station would likely be closed, or at worst, destroyed. The high-pressure gas pipes run directly next to the switch yard which would be affected should a major incident occur. The introduced risk of damaging and disabling the power station would result in widespread power outage for homes, hospitals, and businesses which would jeopardise lives, the local economy and undermine public trust at a time when energy bills are at their highest. Power outages would also place a higher risk on people should this occur in bad weather, a time when reliable energy is most required.

- We have reviewed the Online Battery Safety Management Plan submitted with the application. In our view it fails to consider the proximity of the above features to the proposed BESS facility and is only a generic assessment of battery safety development. It is therefore not adequate to address our safety concerns.

Infrastructure at Severn Power Station

- There are 34 full time employees working at the CCGT power station. There are occasions when the presence on site increases to approximately 180 persons, with 60 persons working during the night. The number of persons present means that safety has to be paramount.

- Given the number of persons on site, we are concerned the proposed BESS facility would interfere with safety precautions in the case of an emergency event. There is only one access and egress to the CCGT power station (being West Nash Road). The presence of the BESS facility will mean the power station is surrounded by BESS facilities on all accessible sides. This severely limits accessibility and escape routes for both employees and for emergency services. The compact nature of the Uskmouth peninsular also is a cause for concern, as even now there are limited escape routes available in the event of emergency.

- There is a high-pressure gas pipeline which runs underground from the river Usk in the west to the western side of the CCGT power station. This pipe abuts the boundary where the proposed BESS facility is to be situated. It also runs next to a 10-metre sheeted clad wall which separates the CCGT power station from the BESS facility. If the BESS facility is delivered as proposed, there will not be anything to separate it from the gas pipe, which we regard as a considerable risk in the event of overheating and thermal runaway.

- In addition, there are transformers adjacent to the application site with underground cables that run to the switch area to the west of the CCGT power station (the switch area is marked as 'substation' on figure 2 of the Planning Statement'). This includes the presence of 275kV overhead cables, and pylons. We understand that hydrofluoric acid and associated vapours can be produced as a result of lithium-ion batteries overheating or experiencing thermal runaway, with the resultant risk that it encounters both the CCGT power station and the switch area equipment.

- There is also a large diesel generator adjacent to the proposed BESS facility which is located at the southernmost point of the CCGT power station and where the transformers for the site are housed.

Construction risks associated with the BESS facility

- A disused railway line runs between the CCGT power station and the proposed BESS facility location. This could be used to bring in hardcore and associated materials for the purposes of construction. The proposed BESS site would separate this railway line

from the land owned by the power station and would hinder its own development of that land. If the power station required the railway line to be utilised in the future there needs to be consideration given to an adequate distance between the railway line and the BESS site to minimise noise, vibration and risk of fire and explosion.

- There are a number of ponds in the peninsula area. To the west of the CCGT power station a rainwater pond pumps water through the power station and discharges it at a northerly point into the river Usk. Construction of the BESS facility could result in dust and contamination of this pond and others and the river Usk, with potentially wider harmful effects.

- The pulverised fuel ash also presents an environmental risk. The proposed site of the BESS facility is presently a fuel ash yard from the time when the Uskmouth power station was coal-fired, with fuel ash being a by-product. If this land is to be dug out, as the fuel ash is interfered with and removed it presents a risk that the underlying ground and groundwater beneath could become contaminated.

- Furthermore, the removal of fuel ash and site construction generally will push the fuel ash into the air with a detrimental effect on air quality. The turbine units at the southernmost area of the CCGT power station contain two filters fitted to the site - these are approximately £150,000 to change each time, with new filters planned to be installed in October 2025. The presence of fuel ash in the air will be sucked into the filters, necessitating their replacement. General construction dust will also have the same effect. Should the filters become blocked and require replacement, this would result in forced outage time and loss of income to the power station. The lost generation costs could run into millions of pounds. The construction period would also cause excessive traffic movements. The Transport Assessment estimates up to 18 movements a day Monday - Friday, with additional movements on Saturdays. The single route in and out along West Nash Road means an emergency event would potentially be exacerbated were construction traffic in place at any given time.

Operational effect on CCGT power station

- If the BESS facility were to be granted planning permission, it would have a significant operational effect on the CCGT power station.

- Our protocol for major accidents would need to be entirely reassessed and re-implemented, at significant cost. All of the above issues would need to be considered, with new emergency plans put in place to protect employees at the site and other persons in the vicinity. By way of example, we currently lease the land to the south of the proposed BESS facility, visible as a semicircular area of tree line. The presence of the BESS facility would restrict direct access to that area, resulting instead in a one kilometre walk from the CCGT power station, effectively cutting it off as a safe assembly point in the case of an emergency.

- It would also constrain our ability to deliver future development on the Uskmouth peninsula associated with the CCGT power station. This could range from development of the power station itself, to other more routine needs such as providing additional parking areas for the proposed increase in employees. The proposed BESS facility will constrain any such activities if it is delivered in the proposed location.

- Due to the high level of risk incurred should the BESS facility be constructed, Severn Power Limited would, through no fault of their own, be expected to pay increased insurance premiums. The power station would need new evacuation plans and procedures in place, and to readdress its Major Accident and Prevention documents. This would be at vast expense to Severn Power. We understand the importance of renewable energy and grid stabilisation; however we are deeply concerned about the location and suitability of the application for the reasons stated in this letter. As the application currently stands, we see nothing which mitigates our concerns as set out above. We therefore object to the application.

6.2 COUNCILLOR Kellaway: no comments received to date.

6.3 NASH COMMUNITY COUNCIL:

The Community Council previously discussed this proposal following the Pre-planning consultation sent by the developers, and we registered our objection at that stage. Now the scheme has now progressed to a formal Planning Application, we wish to object to the proposal on the following grounds.

The removal of the fuel ash from site will involve high volumes of HGV movements throughout the village and have an impact on the residents living on West Nash Road and Nash Road. The road is already heavily used by sludge tankers, sludge lorries from the Dwr Cymru treatment works along with other HGV movements to the two Power Stations on the route. The roads are also used by the 100,000 visitors who visit the Newport Wetlands. It is felt the noise pollution, vibration and air pollution caused by such levels of traffic to be unacceptable and having a detrimental effect on the Wellbeing of residents in the village. Originally the coal from which this fuel ash was derived was brought to site mainly by rail, therefore it is suggested that it is removed from site by the same manner.

7. ASSESSMENT

7.1 The Development

The Planning Statement accompanying the application confirms the proposed development as follows:

- Site clearance including the removal of circa 140,000 tonnes of PFA currently stored on site.
- Raising the ground level for the electrical infrastructure above predicted flood levels.
- Laying out of containerised battery storage units along with associated inverters mounted on concrete slabs/piers. Each containerised battery unit will measure approximately 6.1m by 2.44m and 2.9m high.
- Installation of:
 - A HV substation with associated electrical infrastructure. The substation compound will measure approximately 45m by 102m with a maximum height of 12m.
 - 2.5m high palisade fence around the BESS facility with access gates to the compound entrance from the internal road network.
 - 2 x associated buildings each measuring approximately 19.4m by 8.9m and 4.4m high. One of the buildings will contain the control room and the other will contain the switchgear.
 - Other associated structures including skid container measuring approximately 12.2m by 2.4m and 2.9m high.
- Underground cabling to connect the battery storage facility to the proposed on-site substation which comprises the plant and equipment necessary to export the electricity stored on-site to the electricity network;
- Laying out of a hard surfaced site access into the BESS substation and battery compound from the internal road network along with car parking bays.
- Layout out of uncompacted gravel as a surface cover between the containerised units and equipment.
- Temporary construction laydown area.
- A short underground cable route to connect the BESS to the existing National Grid 275kV substation located circa 900m to the north west via an existing access track.
- Landscape planting, biodiversity enhancements and surface water attenuation measures.



General Layout plan

7.2 There is 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 support 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. All these factors are of significant merit and must be afforded substantial weight in favour of the scheme.

7.3 In this context, the primary issues to be considered are as follows:

- Traffic and its effects associated with the construction of the battery energy storage system and removal of PFA including the impact of development on existing rail infrastructure.
- The visual and landscape impact of the development.
- Flood risk.
- Impact on ecology affecting protected sites close to the development area and other sensitive receptors including risk to controlled waters from ground contamination.
- Fire and safety risk and associated impact upon neighbouring land uses and the environment along with cumulative effects and environmental factors associated with longer term end of battery life operational matters and disposal of waste.
- Energy security and optimisation of energy storage to improve supply resilience.

Secondary matters are considered to be:

- Archaeology and the historic environment

- Noise and disturbance and impact on residential amenity

7.4 Traffic and its effects associated with the construction of the battery energy storage system and removal of PFA including the impact of development on existing rail infrastructure

Two access points into the site are proposed, one at the eastern boundary and one at the western boundary, with an internal access track to be created within the site. The access points are served from the existing access road within the Uskmouth site, which travels to the south and west of the application site. This route will serve vehicular access to and from the new development via West Nash Road to the east. No car parking spaces are proposed, as these will not be required. Visitors to the site only occurs occasionally for inspection and maintenance purposes and will stop/park on the internal access road.

- 7.5 This application is supported by a Transport Assessment (TA) based upon traffic surveys undertaken in 2019. Since this time, demolition contractors have removed a large amount of internal fixtures from the main coal fired power stations and 2no. BESS sites have been consented with one nearing completion and once just commencing construction. The gas fired power station was not operational at that time but now is so changes have occurred during the intervening period and officers are mindful of this. The TA includes consented schemes in the committed developments assessment in terms of traffic generation. It also assumes all construction traffic will be via road as a worse case scenario. In fact, we are advised by the agent in their email dated 24th September 2025 as follows:

...the Applicants have confirmed that approximately 95% of aggregates for the AW1 BESS development were delivered by rail and this is expected to be the case for AW2. While the intention is to maximise use of the railway for construction deliveries (including aggregates and BESS components), the Transport Assessment (TA) has assumed all materials will be delivered by road to assess a worst-case scenario. This approach ensures the TA remains robust.

Section 6 of the TA outlines anticipated HGV movements as follows:

- *PFA Removal: Peak of up to 30 HGV movements per day (15 arrivals and 15 departures)*
- *Construction (post-PFA removal): Typically 18 HGV movements per day (nine deliveries and nine departures)*

Although the TA assumes full road-based delivery, the Applicants' commitment to using the railway wherever possible means actual HGV movements are expected to be significantly lower than those assessed.

- 7.6 The TA advises that the proposed access route to the site, via West Nash Road, is suitable for the proposed traffic movements and has previously been used for operational traffic associated with the former Power Station, as well as for other consented BESS developments on the wider Uskmouth site. It is important to note that the TA makes frequent comparison with the former coal fired power station but this is not a fallback position that carries significant weight. The existing buildings have been entirely stripped of all internal plant and infrastructure required to generate electricity from coal and even if there may be some potential in future to re introduce such infrastructure, the likelihood is slim to zero and would carry little weight in terms of fallback assessment.

- 7.7 The TA explains that the construction phase will incorporate the removal of the PFA from the site and the construction of the BESS compound and associated development. The PFA removal and site clearance is anticipated to take 15 months, whilst the construction period will be circa 24 months. Traffic movements associated with the PFA removal will be peak vehicle generation period with 30 HGV movements (15 in and 15 out) per day (with half of these movements on Saturdays owing to the shorter working day). During the construction phase, there are anticipated to be 18 HGV movements (9 in and 9 out) per day (with half of these movements on Saturdays). These vehicles will be a combination of 44T articulated HGVs, 32T rigid HGVs and 4 or 2 axle vehicles. Two abnormal loads will be required to deliver the transformers but these will require a Special Order issued by a separate regulatory body. Such abnormal loads have been necessary in relation to the already consented BESS sites. A peak of up to 10 staff vehicles are anticipated to be on site during the 15-month PFA export period and 24-month construction period.
- 7.8 The previous coal fired power station frequently recorded HGV movements well in excess of the 30 anticipated during the proposed PFA removal process. Those historic HGV movements were similarly often associated with the removal of ash. The coal fired power station ceased operations in 2017.
- 7.9 The cumulative assessment found that even if the construction period for the consented Afon Wsyg (AW1) BESS site overlapped with the proposed PFA removal for the AW2 BESS site, there would be circa 72 fewer HGV movements compared to the operation of the coal fired power station. The TA advises that transport impacts of the operational phase of development will be minimal, because the BESS facility is not permanently manned and therefore there are no regular vehicle movements generated. Occasional maintenance and inspection visits will be required and associated traffic demand is negligible. The Transport Assessment confirms there is ample capacity on the existing road network to accommodate the additional traffic generated by the proposal.
- 7.10 The TA confirms the proposed development generates significantly fewer HGV movements, including for the worst-case cumulative assessment scenario, but officers also confirm the coal fired power station is not a fallback that can be afforded much weight and officers note the transport assessment is based upon traffic surveys undertaken over 5 years ago. It is possible that HGV traffic serving other users in the area has increased over that time, notably the Welsh Water waste water treatment plan also located on West Nash Road. Notwithstanding, the significant reduction in HGV traffic movements over those recorded by the coal fired power station towards the end of its operational life are noted and not disputed. Also, officers note the short term nature of the peak generation period in this case (that being the PFA removal period) and the limited construction period of up to 2 years following such removal when HGV movements will be greater than existing.
- 7.11 In summary the TA finds the proposed development to be acceptable with regards to parking, access and traffic impact and the Highways Officer agrees with this outcome and raises no objection on this basis. Additional information to justify use of road over rail has been sought and provided and the answer copied above confirms the TA as worst case for HGV road traffic. We know the consented BESS scheme near completion utilised rail deliveries as per the agent comment above for importation of aggregate and the use of the rail network has a beneficial impact on the number of heavy vehicles on the road networks. Notwithstanding, there is no objection from the Highways Officer to the use of road based on the TA provided but it is considered that a condition seeking confirmation of phasing and the extent rail can and will be used

would be justified on amenity grounds and having regard to some of the shortcomings of the TA identified above in relation to baseline/fallback and survey dates.

- 7.12 Routing of vehicles has previously been controlled via a Construction Environmental Management Plan with HGVs using Meadows Road and West Nash Road to access site off Queensway. No HGVs should be allowed to route via Nash Road. A CEMP condition is necessary, as is dilapidation surveys for the HGV routes. The Highways Officer has been keen to understand the reliance upon road for the PFA removal in particular bearing in mind the site's ability to access both rail and river. In terms of rail, there are various impediments that make this impractical. For example, the end user of the PFA must have rail access and associated discharging facilities, also PFA is not easily transported and requires covers for transport to avoid becoming wet. It can, if not dealt with correctly, fuse to wagons quickly and become impossible or difficult to unload. Covered rail wagons are few in number with open wagons being the primary type available and not suitable in this case for reasons above. Constraints of river are well known, not least the tide cycle which restricts access to the jetty. In short, road transport is necessary for PFA removal and rail is not appropriate.

- 7.13 Severn Power (objector) has raised concerns with the availability of rail access to its facility in the long term if this development is approved and officers have been keen to understand that there are no long term prejudicial impacts on the development or accessibility of the wider site arising from changes to the internal rail infrastructure. The proposal will remove a currently disused length of railway line that runs through the site area. The removal of this stretch of line does not remove the ability of the wider site to be accessed by rail as all other lines of the rail network within the wider power station site will remain and trains will still be able to enter and leave the wider power station site via rail. However the ability to shunt trains on site will be modified as a stretch of secondary rail lines will be removed and the main rail line shortened. Policies T1 and T2 of the LDP are relevant as is national planning policy. Policy T1(iv) states that proposals will be supported that protect disused lines from development. Policy T2 states:

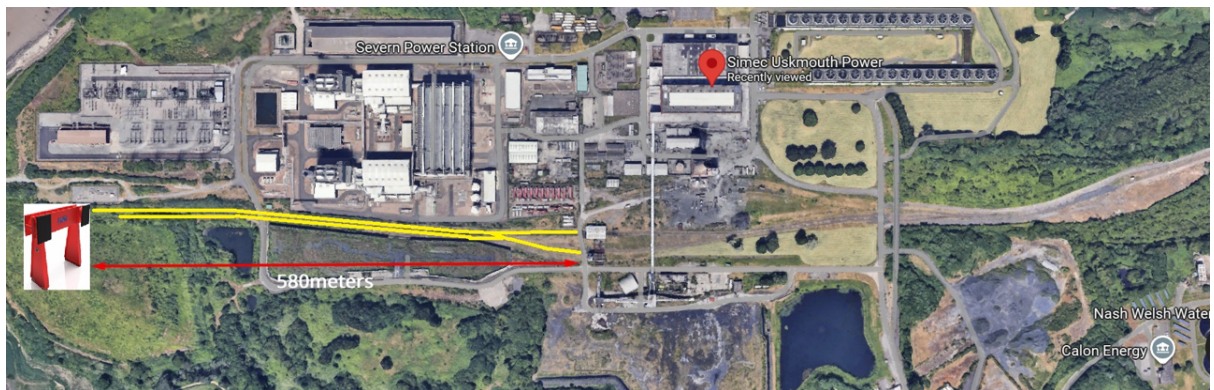
DEVELOPMENTS WHICH GENERATE HEAVY COMMERCIAL VEHICLE MOVEMENTS WILL BE FAVOURED IN THOSE LOCATIONS WHICH ALLOW ACCESS TO A RAILWAY LINE, WHARF OR DOCK. WHERE IT CAN BE DEMONSTRATED THAT THIS IS NOT APPROPRIATE, LOCATIONS READILY ACCESSIBLE TO STRATEGIC AND PRINCIPAL ROUTES WILL BE FAVOURED. ELSEWHERE, SUCH DEVELOPMENT WILL NOT BE PERMITTED

- 7.14 In this case, the site is accessible by rail but the applicant has given reasons why the export of PFA from the site is not appropriate by rail. The site has one road access only to the public highway network and this is to be used.

There is no suggestion by Severn Power that its operations rely on the presence of the rail line for deliveries and day to day operations. The rail line is a freight line serving private business not a passenger line. Therefore the removal of the line appears to have no direct impact in this respect and the site remains accessible with existing operational traffic to the gas fired power station occurring by road.

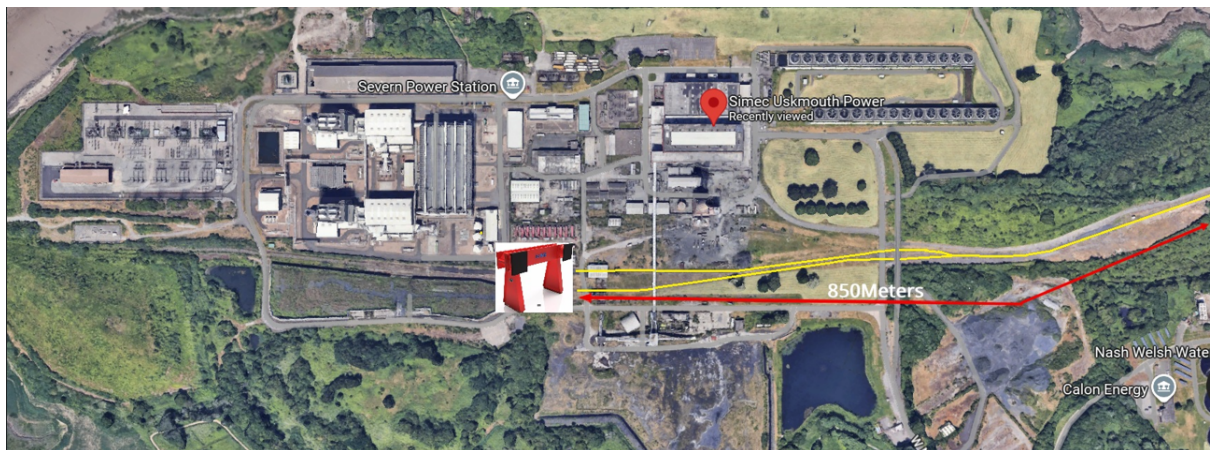
- 7.15 The need for railcars to be shunted on site historically would likely have been linked to the import and export of materials associated with the coal fired power station and there is no need for such extensive facilities now that the coal fired power station is no longer operational but it is advantageous and logical to ensure this particular site remains accessible to freight rail traffic to minimise further impacts upon the local road network where possible and practical. The agent has clarified (in email of 24th

September 2025) that the usability and capabilities of the site's rail network will remain unchanged. The shortening of the branch line will not affect future use of the rail infrastructure. Although this portion of the track has not been used since 2016, the site has received over 100 BESS components, and between January 2024 and August 2025, approximately 200,000 tonnes of aggregates have been delivered by rail in connection with other consented BESS projects on the power station site, such deliveries occurring without need to use the area of line to be removed. The aerial image below shows the length of tracks to be removed in yellow and confirmed as 580m long.



This arrangement will continue, and the Applicants fully intend to utilise the rail network for the AW2 development and any future schemes. The proposed methodology involves a locomotive shunting technique, whereby two trains are connected at either end to push/pull wagons along the network. Please see the attached photo showing aggregate deliveries in June 2025, utilising the remaining 850m of site rail track.

The aerial below shows the retained lines in yellow that will be utilised.



The wider site remains accessible by train albeit the shortening of the line where it passes to the rear of the gas fired power station is noted. The proposals are in line with policy GP4 including criterion iii) which states that proposals should be designed to avoid or reduce transport severance, and are compatible with policies T2 and T4 of the LDP. The absence of parking is also noted and acceptable and the explanation provided in terms of why rail cannot be used for PFA removal is accepted.

7.16 **Visual and Landscape Impact**

The site measures approximately 4 ha. The site comprises previously developed land associated with the former Uskmouth B Power Station and lies within an established industrial complex. The site is dominated by the existing coal fired power station

buildings to the north and neighbouring land uses include general industrial (Liberty Steel) to the north, Nash Wastewater Treatment Works to the east and a CCGT power station to the west. Land to the north and south has planning permission for BESS developments. The development of a BESS on a site already associated with large scale industrial use is not significant in the context of the site and surroundings. Two other BESS developments have permission closeby, one is at an advanced stage of construction and the other at an early stage.

- 7.17 The scope of the project includes a number of battery units set out in rows (approximately the size of shipping containers), security fencing, lighting, hard surfacing and associated works. The containerised units will have a utilitarian appearance and when viewed in the context of the existing industrial development will not have an unacceptable impact on landscape quality. In terms of site preparation, all existing structures are proposed to be demolished and PFA currently stored on site will be exported off site. As PFA is a waste material, its export from site is supported by NRW and does not require a separate license or authorisation from it.
- 7.18 In landscape terms, designations provide an indication of landscape value. They are areas that have been recognised for the scenic beauty and recreational potential of the landscape. Special Landscape Areas (SLAs) are non-statutory designations applied by the local planning authority to define areas of high landscape importance within their administrative boundary. The nearest SLA is the Caldicot Levels SLA, circa 130m to the south of the site at its closest point, followed by the River Usk SLA, which is circa 340m to the west of the site at its nearest point. The Wentlooge Levels SLA is located circa 720m to the west. There is one area of Landscape of Outstanding Historic Interest of relevance, this being the Gwent Levels Landscape of Outstanding Historic Interest which is located circa 730m to the southeast and 900m to the west, respectively. Ecological designations, although not specifically related to landscape amenity, are an indication of landscape value. There are five SSSIs of relevance. Newport Wetlands SSSI is located circa 150m to the south of the site at its nearest point. The Sever Estuary SSSI is located circa 400m to the west of the site at its nearest point. The Usk River SSSI is located circa 300m to the north of the site and Nash and Goldcliff SSSI is located circa 1.1km to the east and the St. Brides SSSI is located circa 1.1km to the west of the site at its nearest point. There is also one National Nature Reserve closeby, this being the Newport Wetlands located 150m to the southwest. The Severn Estuary is both a Ramsar and SAC, is located circa 400m to the west of the site at its nearest point. The Wales Coastal Path is located circa 150m to the south of the site at its closest point. The Wales Coastal Path is 1,400km long and follows the coastline of Wales. There are no public rights of way within or within circa 1km of the site due to limited public access to the site and surrounding areas. The closest public right of way is circa 1.1km to the east of the site, passing through open fields between West Nash Road and the village of Nash in an east-west alignment. National Cycle Routes (NCR) 4 is circa 1.7km to the northeast at its closest point. LANDMAP assessment forming part of the Landscape and Visual Appraisal confirms historic landscape and landscape habitats being evaluated as “high” value, but with generally low sensitivity to the changes likely to arise from the proposed development.
- 7.19 This planning application uses the ‘Rochdale Envelope’ principle which is a widely accepted approach to energy and infrastructure proposals under the Town and Country Planning Act 1990 (as amended). Best practice suggests that where the nature of the proposed development means that some details of the project have not been confirmed (for instance the siting or precise dimensions of structures) when the application is submitted, the ‘Rochdale Envelope’ approach should be used to ensure that the effects of a proposed development have been properly assessed. As such, it has been necessary to establish relevant parameters for the purposes of this

application and the accompanying assessments. The parameters (maximum height, width and depth of structures) used are provided for assessment but it is acknowledged that battery technology is rapidly evolving and this impacts the size and efficiency of such units. The market is competitive and the exact details of the battery units may differ amongst suppliers and the supplier for this site is yet to be confirmed. Caselaw such as *Ross Vs SoS for Housing Communities and LG & Renewable Energy Systems Ltd (2025)* tells us that the Local Planning Authority can consider an application where the number of panels, or in this case battery units, nor the density of their positioning was fixed. The Judge in that case commented, *“this is a field where improvements are occurring rapidly... In essence not all aspects of the development can yet be confirmed. The Local Planning Authority knows from case law that it is appropriate for there to be a degree of flexibility but that does not give carte blanche for a developer to create a speculative indicative scheme with the only parameter being a fence line for example. In this case, the Authority has much more than that, with some features known and/or to be controlled by conditions. Maximum heights and minimum ground levels and the location of a number of key structures and features on the site (including the substation, access tracks, landscape and drainage areas etc) are provided. Additional supporting information relating to transport, biodiversity, landscape, visual impact and flood risk and drainage are also provided and use the parameters for size and layout given. Officers are satisfied that the visual and landscape impacts of the development can be robustly considered having regard to the flexibility inherent in the Rochdale Envelope approach. Condition(s) will be necessary to secure final details.*

- 7.20 The general site layout plan matches the plan considered as part of the separate EIA screening opinion. This considered the cumulation with other consented BESS development in visual terms. We know the site has a long history of energy generation development which is acknowledged to form part of the existing landscape character. There is unlikely to be any significant cumulative effects due to intervening buildings, topography and natural landscape features. The Landscape and Visual Impact Assessment includes a cumulative assessment with existing and/or other committed development within the local area. It confirms (p.45):

Overall, the proposed development would be contained and in keeping with the existing industrial and energy production development footprint. The site would be removed from scrub and rough grassland and planting proposals would strengthen the southern boundaries of the site and provide visual screening and filtering, as well as improved ecological value. Whilst the site and context have some rural qualities to the south, the associated movement and sound of the existing industrial and energy production facilities, and nearby pylons and overhead cables are detracting features. The proposed development would be in context and subservient to these elements. Proposed planting would help to integrate the proposed development into the landscape over time

- 7.21 Cumulative landscape and visual impacts are concluded to be minor adverse due to the limited potential visibility of the proposed BESS development and the cumulative BESS developments. Some receptors will potentially see beneficial visual and landscape enhancements once proposed landscaping establishes and compared to existing. In essence this means there is only a small or limited adverse change to the existing landscape or its character at worst; there is considerable scope for mitigation (i.e. via new landscaping); impact is reversible. This conclusion seems fair and officers agree.
- 7.22 More specifically, the submitted Green Infrastructure Statement (GIS) confirms that the tree survey of the site identified 2 individual trees and 4 tree groups, all young and likely self seeded. All trees and groups were identified as Category C, which have low

retention value. Notwithstanding, peripheral landscaping is to be retained with additional meadow seeding and native scrub/shrub planting proposed to BESS compound periphery and in drainage basin area. Para 6.4.42 of PPW states that “Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits.” The applicant has clarified that these cannot be avoided and it is considered that the proposals will have significant benefits in terms of energy security, and can be mitigated for accordingly. As it stands, the GIS sets out a series of avoidance, retention and mitigation measures, but does not explain how these would achieve a net benefit for biodiversity, such that the site will support greater biodiversity and ecosystem resilience value after development compared to the present baseline. Although the GIS states that ‘The proposals would result in habitat enhancement and creation that will increase diversity across a range of species groups’, no evidence is provided that the loss of extent, diversity, connectivity and condition of the ecosystem would be compensated for to the extent that these attributes are greater after development than before. A planning condition is required to secure the submission and implementation of a biodiversity enhancement scheme. A detailed planting plan to detail up the Landscape Masterplan will be required, this can also be conditioned. The proposal is compatible with Policies GP5 and GP6 of the LDP.

Flood risk

- 7.23 In environmental and flood risk terms, it is considered that the scheme will replace ancillary operational space that formerly served the power station itself and will not expand the industrial area. The application is supported by a surface water drainage strategy and flood consequences assessment.
- 7.24 The planning application proposes the removal of stored pulverised fuel ash (PFA) and the installation of a new battery energy storage system (BESS) with all associated drainage, infrastructure, engineering works and associated utilities connections. The Flood Map for Planning identifies the application site to be at risk of flooding and largely within Flood Zone 2 and 3 (Sea) and TAN15 Defended Zone. The LPA considers the development to be highly vulnerable.
- 7.25 NRW is satisfied that the BESS element of the proposal will be raised above/to the precautionary 0.5% (1 in 200 year) plus climate change 2100 undefended scenario flood levels. A breach (of the sea defences) assessment is not required as the FCA is based on a modelled scenario of the site being undefended despite the fact the site benefits from flood defences and is partially within a TAN 15 Defended Zone. As the undefended scenario has been used to inform mitigation on site, with the FCA stating that the new proposed development on site will be raised to 9.75m AOD (which is the undefended 1 in 200 year with climate change at year 2100 confidence level on site). The justification provided in the supporting Technical Note from the applicant is sufficient to satisfy the more explicit new TAN 15 (2025) requirements for overtopping and breach scenarios. NRW logically recommends that the finished floor level for batteries and associated infrastructure is conditioned should planning permission be granted, with FFL set at a minimum of 9.75m AOD as suggested in the supporting FCA.
- 7.26 Surface water drainage on site is subject to SAB approval and an application has been submitted but is subject to a separate regulatory process. A Drainage Strategy document supports the application.
- 7.27 The site itself has low vulnerability to surface water flooding and has an existing well established drainage infrastructure that will be retained. As the site is a discreet part

of the larger power station site in separate ownership, the applicant confirms that it does have permission to use the existing consented discharge point on the wider power station site for surface water. Confirmation of this has been provided in letter form from the neighbouring landowner.

- 7.28 The surface water design does not propose any changes to the existing outgoing headwall / weir wall at the consenting point. The Drainage Strategy document confirms as follows:

The following SuDS features are currently proposed across the Scheme to intercept, treat, attenuate, and discharge surface water runoff:

- *Porous paving (in the form of compacted gravel) ...throughout the battery 'yards' housing the containerised batteries and associated transformers, substations and inverters;*
- *Dry swale within existing perimeter concrete conduit channel.*
- *Detention basin used to provide additional storage. Extensive vegetation and habitats around basin perimeter. Flow control chamber to be installed on outlet from detention basin.*

...The granular stone yards will be impermeably lined at both the base and side, which will be used to convey surface water runoff to the proposed perimeter swale and cellular storage tank in the existing perimeter concrete conduit channel along the southern boundary of site. In addition to providing sufficient attenuation and infiltration, the perimeter dry swale also provides opportunity for incorporating landscaping/planting, enhancing both amenity and biodiversity benefits. The surface water will be discharged from the perimeter dry swale and be directed to the existing detention basin. Peak discharge rates from the basin will be limited... The runoff will then be discharged into the existing ditch via a retained existing outfall, which is named as discharge point W1b on NRW's Discharge Consent.

To satisfy the SAB authority, the applicants have had to significantly reduce the discharge rates and volumes entering the attenuation pond. As a result of the proposed BESS works, flows entering the pond(s) will be smaller not larger. Such surface water discharge points to the existing ditch are permitted by NRW and the applicant has confirmed the permit has no restrictions imposed on maximum discharge rates or volumes. This information is confirmed by the SAB itself to be correct albeit that SAB approval is yet to be given. No objection has been raised by the SAB to this application.

Surface water is discussed further in the next section.

7.29 TAN 15 Assessment

This is highly vulnerable development on previously developed land for the purposes of TAN assessment. It is located in a defended zone. It is compatible with a strategy to achieve key environmental objectives and officers are satisfied the development is justified for the purposes of the TAN. The application is supported by an FCA and Drainage Statement.

7.30 Acceptability of Flooding Consequences

Whether a development should proceed or not will depend upon whether the consequences of flooding can be safely managed, including its effects on flood risk elsewhere.

The site is at negligible risk of fluvial flooding despite close proximity to River Usk. Tidal flooding is the most dominant flood risk source. The NRW Flood Risk from the Sea map shows that the majority of the site is at 'low' risk of tidal flooding. In addition, there is land in the south which is identified to have 'medium' risk and isolated portions in the centre of the site that can be considered to have negligible risk of coastal flooding. No historical flood records are held at the site.

200-year present day undefended scenario

- Central part (main BESS development area) of the site: shown on the model results from flood extent maps are dry.
- Western part (near the existing pond) of the site: flood encroaches the boundary. Flood Level: 8.29m AOD producing a flood depth of 0.15m.
- Eastern part (Unnamed existing access road): flood level of 8.39m AOD producing a flood depth of 0.15m.
- West Nash Road: Flood Level: flood level of 8.39m AOD producing a flood depth of 1.74m.

200-year Climate Change horizon year 2100 Upper End 95th percentile confidence level undefended scenario

- Central part (main BESS development area) of the site: flood Level 9.74m AOD producing a flood depth of 1.28m.
- Western part (near existing pond) of the site: flood Level of 9.74m AOD producing a flood depth of 1.60m.
- Eastern part (Unnamed existing access road): flood level of 9.79m AOD producing a flood depth of 1.55m.
- West Nash Road: Flood Level: flood level of 9.85m AOD producing a flood depth of 3.20m.

1000-year present day undefended scenario

- Central part (main BESS development area) of the site: flood level 8.67m AOD producing a flood depth of 0.21m.
- Western part (near existing pond) of the site: flood level 8.75m AOD producing a flood depth of 2.10m.
- Eastern part (Unnamed existing access road): flood level 8.75m AOD producing a flood depth of 0.51m.
- West Nash Road: flood level 9.85m AOD producing a flood depth of 3.20m.

1000-year Climate Change horizon year 2100 Upper End 95th percentile confidence level undefended scenario

- Central part (main BESS development area) of the site: flood Level 10.43m AOD producing a flood depth of 1.97m.
- Western part (near the existing pond) of the site: flood Level 10.41m AOD producing a flood depth of 2.27m.
- Eastern part (Unnamed existing access road): flood level 10.46m AOD producing a flood depth of 2.22m.
- West Nash Road: Flood Level: flood level 10.50m AOD producing a flood depth of 3.85m

- 7.30 As the risk at the site is considered tidal, the 1 in 200 year plus climate change scenario is used to assess levels in line with TAN15 guidance. Although the site is in an area benefitting from flood defences in 'fair' condition, the undefended 200-year climate change scenario has been considered as worst case and in line with NRW expectations.

Flood resilience measures will be incorporated into the design to reduce the risk of tidal flooding. At risk assets are to be raised to the 1 in 200-year Climate Change horizon year 2100 Upper End 95th percentile confidence level undefended scenario flood level. So the at risk assets will need to be raised to a minimum of 9.75m AOD to create a flat and level plateau for the BESS and substation to be situated on. The proposed resilience/resistance level (9.75m AOD) is above the 200-year Climate Change horizon year 2100 Upper End 95th percentile confidence level undefended scenario and therefore meets the requirements of TAN15. It is expected that the electrical infrastructure itself will be above the 1000 year extreme levels by elevating the containers on blocks or plinths above the raised surrounding site level. This is the same as consented BESS closeby.

- 7.31 Flood compensation would not be necessary, due to the proximity of the Bristol Channel to the site and the fact that the flooding is caused by tidal sources. The FCA recommends that a Flood Management Plan is produced for site management and operational staff, with instructions on appropriate measures to take in the instance of a flood. The FCA will need to be subject to condition as will the AOD levels stated therein.

Risk of sewer, underground and surface water flooding is considered low.

- 7.32 NRW, the Council's principal technical consultee on flood risk matters, raises no objection to the scheme on flooding grounds subject to inclusion of stated conditions. Officers consider the FCA demonstrates that flood risk can be acceptably managed. The proposal complies with Policy SP3 of the Local Development Plan.

Impact on ecology affecting protected sites and other sensitive receptors close to the development area including risk to controlled waters from ground contamination

- 7.33 The River Usk Special Area of Conservation (SAC) and the Severn Estuary Special Protection Area (SPA), SAC and Ramsar site are all located within 300m of the proposal site. The proposal must be considered under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). The document entitled 'Uskmouth AW2 Battery Energy Storage System 784-B070326 Report to Inform an Appropriate Assessment - Habitats Regulations Assessment Stage 1 Screening for Likely Significant Effect and Stage 2 Appropriate Assessment' Version 3 by Tetra Tech dated 29th July 2025, has been provided for consideration. If acceptable, the Authority can 'adopt' this document in carrying out a test of likely significant effects. Generally, both NRW and NCC Ecology Officer agree with the conclusion that the development is unlikely to have an adverse effect upon the integrity of the River Usk SAC and the Severn Estuary SPA, SAC and Ramsar site. Conditions to require a Construction Environmental Management Plan will be necessary. At time of writing NRW had not given its explicit support for the adoption of the shadow HRA as the LPA's own and this support will need to be provided before any consent can be issued.
- 7.34 In officer view, the provision of a shadow Habitats Regulations Assessment (HRA) aligns with the approach set out in the Environment (Wales) Act 2016, the Conservation of Habitats and Species Regulations 2017 (as amended), and relevant guidance supporting PPW. In line with Planning Policy Wales and Technical Advice Note (TAN) 5: Nature Conservation and Planning, 'Habitats sites' describe internationally designated sites, including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), collectively known as the Natura 2000 network. These sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and must be considered in accordance with the

requirements of a Habitats Regulations Assessment (HRA). The assessment must consider the direct, indirect, and in-combination effects of the plan or project, alongside other current or proposed developments or policies. This includes potential impacts arising from activities outside the designated site boundaries, where those activities could affect the ecological integrity of the site (e.g., through loss or degradation of functional habitat used by qualifying species).

- 7.35 The screening assessment in the shadow HRA has concluded that Likely Significant Effects (LSE) cannot be excluded from multiple impact pathways. This requires a second phase or stage 2 Appropriate Assessment (AA). The shadow HRA provides an appropriate assessment analysis that officers consider can and should be adopted as the LPA appropriate assessment for the purposes of satisfying its obligations under the Habitats Regulations and has consulted NRW to give its support this approach. The full report is included as part of this application and the following is a summary of the HRA screening exercise identifying those matters where LSE are identified for further stage 2 assessment:

Site	Impact Pathway		Assessment	Determination of LSE
Severn	Construction Phase			
Estuary / Môr Hafren EMS	Changes in abiotic conditions	Noise and vibration Disturbance	Due to the proximity of the Proposed Development to the Habitats sites, the construction phase is likely to require personnel, plant and machinery in order to complete activities (such as impact piling) that could raise noise above background levels. This may affect mobile avian and mammalian species. The fish species will be unaffected by noise due to distance from the Proposed Development and the watercourse. The PEA (Tetra Tech, 2024) indicates the ponds to the west of the Proposed Development site have potential to support species of overwintering birds and otter. The PEA also describes the scrub habitat within the Proposed Development site may provide suitable foraging and nesting habitat for qualifying bird species, and may also serve as resting or breeding habitat for otter. An LSE from noise disturbance upon qualifying avian and mammalian features cannot be excluded. Noise disturbance will next be considered at Stage 2 AA.	LSE Alone
River Usk / Afon Wysg SAC		Visual Disturbance	Due to the proximity of the Proposed Development to the Habitats sites, the construction phase is likely to require personnel, Plant and machinery in order to complete activities that may act as a visual stimuli. This may adversely affect mobile avian and mammalian species.	LSE Alone

			The fish species will be unaffected by visual disturbance due to distance from the Proposed Development and the watercourse. The PEA (Tetra Tech, 2024) indicates the ponds to the west of the Proposed Development site have potential to support species of overwintering birds and otter. The PEA also describes the scrub habitat within the Proposed Development site may provide suitable foraging and nesting habitat for qualifying bird species, and may also serve as resting or breeding habitat for otter. An LSE from visual disturbance upon qualifying avian and mammalian features cannot be excluded. Visual disturbance will next be considered at Stage 2 AA.	
		Surface Water Pollution	The Proposed Development site is a former PFA storage area. The ground may be contaminated as a result, and will be disturbed during construction through site clearance and vehicle movements. Surface water pollution includes accidental release of pollutants, fuel and chemical spillages, sediment runoff as well as failure of any welfare facilities. An LSE alone from surface water pollution during construction cannot be excluded. This pressure will next be considered at Stage 2 AA.	LSE Alone
		Deposition from air pollution (dust)	In accordance with the Institute of Air Quality Management (IAQM) guidance (Holman et al., 2024) the Zol of fugitive dust (Figure 3): - an 'ecological receptor' within: - 50 m of the boundary of the site; - and/or - 50 m of the route(s) used by construction vehicles on the public highway, up to 250 m from the site entrance(s) As the attenuation pond may act as FLL (Tetra Tech, 20205) and this is within 50 m of the Proposed development LSE alone from deposition of dust during construction cannot be excluded. This pressure will next be considered at Stage 2 AA.	LSE Alone
		Introduction and spread of INNS	The PEA (Tetra Tech, 2024) identified stands of giant hogweed <i>Heracleum mantegazzianum</i> were recorded along a ditch to the southwest of the Proposed Development site. Non-native Buddleja <i>Buddleja davidii</i> and sea buckthorn <i>Hippophae rhamnoides</i> were recorded onsite. It cannot be excluded that INNS may inadvertently be brought onto the Proposed Development site or inadvertently spread during construction.	LSE Alone
			INNS have the potential to spread off-site and impact the aquatic habitats and affect qualifying species by reducing habitat quality, introducing disease and competing with qualifying species. An LSE from INNS cannot be excluded. INNS will next be considered at Stage 2 AA.	
		Other ecosystem modifications loss of functionally linked land	The PEA (Tetra Tech, 2024) indicates that the scrub habitat within the Proposed Development site may provide suitable foraging and nesting habitat for qualifying bird species and may also serve as resting or breeding habitat for otter. During construction, any functional linkages the Proposed Development site serves will be lost. An LSE from other ecosystem modifications, in the form of loss of functionally linked land, cannot be excluded. Other ecosystem modifications will next be considered at Stage 2 AA.	LSE Alone
Operational Phase				
Changes in abiotic conditions	Noise Disturbance		Due to the proximity of the Proposed Development to the Habitats sites, personnel and vehicle movements during operation may affect mobile avian and mammalian species. The fish species will be unaffected by noise due to distance from the Proposed Development and the watercourse. The PEA (Tetra Tech, 2024) indicates the ponds to the west of the Proposed Development site have potential to support species of overwintering birds and otter. The PEA also describes the scrub habitat within the Proposed Development site may provide suitable foraging and nesting habitat for qualifying bird species, and may also serve as resting or breeding habitat for otter.	LSE Alone

		An LSE from noise disturbance upon qualifying avian and mammalian features cannot be excluded. Noise disturbance will next be considered at Stage 2 AA.	
	Visual Disturbance	Due to the proximity of the Proposed Development to the Habitats sites, the operation phase is likely to require personnel, lighting, and vehicles in order to complete activities that may act as a visual stimuli. - This may adversely affect mobile avian and mammalian species. - The fish species will be unaffected by visual disturbance due to distance from the Proposed Development and the watercourse. The PEA (Tetra Tech, 2024) indicates the ponds to the west of the Proposed Development site have potential to support species of overwintering birds and otter. The PEA also describes the scrub habitat within the Proposed Development site may provide suitable foraging and nesting habitat for qualifying bird species, and may also serve as resting or breeding habitat for otter. An LSE from visual disturbance upon qualifying avian and mammalian features cannot be excluded. Visual disturbance will next be considered at Stage 2 AA.	LSE Alone
	Surface Water Pollution	The ground may be contaminated as a result, and will be disturbed during operation through; - site maintenance - vehicle movements. Surface water pollution includes accidental release of pollutants, fuel and chemical spillages, sediment runoff as well as failure of any welfare facilities. The operational stage of the BESS poses a fire risk which may lead to ground contamination, water pollution and release of toxic fumes and substances (from the combustion of the BESS on site materials themselves in addition to any emergency fire suppressant chemicals used). An LSE from surface water pollution during operation cannot be excluded. This pressure will next be considered at Stage 2 AA.	LSE Alone
	Other ecosystem modification loss of functionally linked land	Upon completion of the BESS construction, the existing habitats within the Proposed Development that may serve as functionally linked land has been retained. This pressure arises during the construction phase and is already being considered at Stage 2 AA. During operation, the green infrastructure within the RLB's will have been landscaped in accordance with the Landscape and Ecological Management Plan (LEMP). This is not considered mitigation as it is expected to be a requirement of any positively determined planning application. It is, however, generally accepted that BESS pose a fire risk which may lead to ground contamination, water pollution and release of toxic fumes and substances. This may arise from the combustion of the BESS and also the fire-fighting materials used. An LSE from other ecosystem modifications during operation cannot be excluded. This pressure will next be considered at Stage 2 AA.	LSE Alone

The above matters are not screened out and require further consideration/mitigation for the purposes of the assessment. The above effects are listed as “alone” effects and the HRA confirms that in combination assessment is not necessary in this case. When a plan or project is screened as having a likely significant effect alone, the appropriate assessment should initially concentrate on its effects alone. If on assessment alone it is ascertained that the subject plan or project will in fact have no effect at all on the European site, an adverse effect in combination is ruled out and no further assessment is required. The plan or project may be authorised. Therefore, as the mitigation provided in this report will cancel out all adverse effects there cannot be an in-combination effect and therefore no assessment in-combination is required. The full adopted HRA is attached but in summary assessment for the purpose of appropriate assessment is as follows:

Noise and Vibration Disturbance during Construction and Operational Phase
Birds

- 7.36 To mitigate potential noise disturbance to overwintering birds, acoustic barriers shall be erected during the phase to ensure noise does not exceed 70db at the linked land at ponds 1 and 2 and designated sites. Also;
- Suitable receptors for overwintering birds such as pond 1 and pond 2 should be fenced off and signed to prevent access. These ponds could support qualifying species of the Habitats sites and a such are functionally linked land. Fencing should include hoarding to reduce visual disturbance;
 - Where possible avoid undertaking particularly noisy activities (such as piling) within the overwintering bird season (October-March); where this is practicable;
 - Mitigation in the form of avoidance of construction works two hours either side of the high tide should also be included within the CEMP;
 - Acoustic barriers around the exterior of the Proposed Development; working practices with the inclusion of mitigation must not create noise at greater than 70Db at the nearest receptor - ponds 1 and 2; and
 - Use acoustic barriers to box in particularly noisy activities.

A condition requiring a CEMP in accordance with NRW comments is required and must include control and monitoring measures. A condition relating to acoustic mitigation to safeguard biodiversity interests is also recommended. The hoarding recommended above will also have the effect of reducing intervisibility to mitigate the impact on birds arising from general movement associated with construction on site.

7.37 Otters

The above points also apply to mitigation of otter impacts but also include:

- Pre-construction survey for otter to ensure natal holts are not present within pond 1 or pond 2- PEA (Tetra Tech, 2024);
- Ponds 1 and 2 should be fenced off and signed as an exclusion zone;
- Excavations will be covered at night or fitted with mammal ramps to ensure otter and other mammals do not get trapped;
- Any pipework with a diameter over 150 mm will be covered at the end of each workday to prevent otter getting trapped or entering;
- If any otter pathways are identified they must not be obstructed by fencing or parked machinery etc;
- Lighting required for the construction phase will be carefully installed under the advice of a suitably qualified ecologist to ensure there is no excess spill on potential foraging habitat for otters (in particular Ponds 1 and 2); 1. Where possible, no lighting of ponds 1 and 2 should occur, 2. Where this is impracticable further mitigation measures must be introduced 3. Cowls and hoods that limit light spill, timers and sensors should be used to minimise disturbance where lighting cannot be avoided, this should be design in conjunction with a suitably qualified lighting engineer following guidance (such as guidance Note 8 Bats And Artificial Lighting At Night (ILP, 2023) which would provide sufficient safeguard); and
- Any clearance of dense scrub habitat should be done under ecologist supervision. If any other signs are identified works must stop immediately and an ecologist contacted for advise as to how to proceed.

A condition requiring full details of lighting is necessary for the above reasons. Officers also recommend a discreet condition to ensure full compliance with the document, *Uskmouth AW2 Battery Energy Storage System 784-B070326 Report to Inform an Appropriate Assessment - Habitats Regulations Assessment Stage 1 Screening for*

- 7.38 The incorporation of acoustic hoarding will provide a barrier from the ponds which acts as functionally linked land and the proposed Development. It is considered that the intervening distance between the Proposed Development, interceding vegetation and the existing power station would act as screen and no adverse effect to site integrity would occur. Operational impacts would be result as maintenance visits, which are of a low enough frequency not to lead to an adverse effect to site integrity. Officers consider that visual disturbance will not lead to an adverse effect providing acoustic hoarding is used to remove the line of site from the works areas to the retained ponds.

Surface Water Run Off during Construction and Operational Phase

- 7.39 The CEMP will be a key document and must set out matters identified in the HRA such as identifying sensitive receptors and implementing site specific pollution prevention measures based on established pollution prevention guidance and best practice. All firefighting water shall be capable of containment on site without need to enter the wider environment.
- 7.40 The Planning Statement and Drainage Statement will form approved documents and detail the sustainable urban drainage strategy, confirming that porous granular stone yards and perimeter swale features will manage sediment and pollutants within surface water. The scheme will include geotextile liners and chamber catchpits to remove silt and treat surface water discharges to the swale. A detention basin will provide additional storage capacity with a flow control chamber at discharge point. The granular yards will be impermeably lined to direct surface water to the swale and a cellular storage tank located in the existing perimeter channel along the southern boundary of the site. Surface water will discharge from the perimeter swale into the existing detention basin and then to an existing ditch and outfall located outside the site boundary where an existing headwall will be retained and is subject to an existing NRW discharge permit. Surface water discharge rates will be controlled with attenuation features designed to prevent flooding with penstock chambers including in the drainage design to compartmentalise and isolate run off that may contain fire suppression chemicals and to prevent contamination of clean water and wider site drainage systems. This approach is being developed with the Council's SAB team and the SAB team is dealing with a separate application in relation to SUDS and the drainage scheme and has confirmed this general approach.
- 7.41 Furthermore, the agent has confirmed via letter from Afon Wysg Energy Limited dated 11th September 2025 that they, as landowner and permit holder are aware of the requirements of this scheme to discharge via its discharge point and confirm its permission to do so. The agent further confirms via email dated 19th September 2025 that that the surface water design does not propose any changes to the existing outgoing headwall / weir wall at the discharge permit point (known as w1b). To satisfy the SAB authority, the applicants have significantly reduced the discharge rates and volumes entering the pond. As a result of the proposed BESS works, flows entering the ponds will be smaller not larger. They also confirm that the permit document from NRW for discharge point W1b has no restrictions imposed on maximum discharge rates or volumes.

Construction Phase Dust

- 7.42 The attenuation pond provides functionally linked land to the qualifying features of the Severn Estuary SPA / Ramsar / SAC. Dust spread could adversely affect the vegetation which forms part of the structure and function of this supporting habitat and

therefore mitigation to negate impacts from dust have been detailed in the HRA. Dust may also impact air quality locally and other nearby sensitive receptors.

- 7.43 The CEMP will be a key document in this regard. It will need to detail as a minimum, dust suppression protocols via a suitable plan, how materials and waste will be handled to minimise dust, how vehicles and plant will be controlled, what containment and barriers will be required and managed, how such practices will be monitored and reviewed, and who will be responsible on site. During operational phase, dust will not be key factor.

Conclusion

- 7.44 The 'integrity of a site' relates to the site's conservation objectives. Taking each qualifying feature in turn, if the conservation objectives for a feature will be undermined, site integrity is necessarily adversely affected. On the contrary, site integrity cannot be considered to be adversely affected if the findings of an AA demonstrate that the conservation objectives will not be undermined alone or in-combination with other plans or projects. The conservation objectives for the Habitats sites are provided in the table below. Providing the mitigation and planning conditions are implemented and secured through correct mechanisms then there are sufficient safeguards in place to ensure no adverse effect to site integrity can occur. Officers consider that the proposed development would not have an adverse effect on the integrity of the Habitats site comprising the Severn Estuary SAC, Severn Estuary SPA and Ramsar and River Usk SAC, either alone or in combination with other plans or projects.

Habitats Site	Distance to Proposed Development	Qualifying Features	Threats and Pressures	Conservation Objectives
Severn Estuary / Môr Hafren EMS consisting of: UK0013030 Severn Estuary/ Môr Hafren SAC UK9015022 Severn Estuary SPA	230 m	Severn Estuary / Môr Hafren SAC - Sandbanks which are slightly covered by sea water all the time; - Estuaries; - Mudflats and sandflats not covered by seawater at low tide; - Reefs; - Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>); - Sea lamprey <i>Petromyzon marinus</i>; - River lamprey <i>Lampetra fluviatilis</i>; and - Twaite shad <i>Alosa fallax</i>. Source: (Natural England and Countryside Council for Wales, 2009)	- Human induced changes in hydraulic conditions; - Changes in abiotic conditions; - Modification of cultivation practices; - Other urbanisation, industrial and similar activities; and - Outdoor sports and leisure activities, recreational activities; Source: (JNCC, 2015a)	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; - The extent and distribution of qualifying natural habitats and habitats of qualifying species; - The structure and function (including typical species) of qualifying natural habitats; - The structure and function of the habitats of qualifying species; - The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;

7.45 European Protected Species (EPS)

Insofar as European Protected Species are concerned, NRW has not indicated a requirement for a European Protected Species License in this case. Although the proposals are fairly extensive, the parts of the site that will be affected by the development are likely to hold little biodiversity interest. The application site itself extends to approximately 4 ha of land, a large part of which is currently used for the storage of pulverised fuel ash (PFA). The PFA storage area comprises a concrete slab beneath the PFA stockpiles bound by 2.4m high reinforced concrete walls. The application site boundary also includes part of the internal access road through the

Uskmouth site, rough grassland, disused railway tracks, and a balancing pond to the west. The affected areas include the concreted area under the PFA, some semi-improved grassland, scrub, existing access roads, and hardstanding. The ponds and dense scrub to the southwest is not proposed to be cleared or impacted in any notable way except for some small-scale new scrub planting on the northern boundary, which would be beneficial to any protected species present. Bats use the site for foraging and commuting, some trees are present within the red line boundary by the balancing ponds, but it is stated that all trees will be retained. The known bat roosts present on the wider Former Uskmouth Power Station site would not be directly affected by the proposals. Therefore, the only matter needing to be controlled with respect to bats is lighting and a condition is recommended. Otters are known to be present in the wider area, on the River Usk and at Newport Wetlands. The wetlands area also has records of water voles. Any otters or water voles that may be (occasionally) present, using the area of the balancing ponds (the only suitable habitat for the species within the red line boundary), would be unlikely to be adversely affected by the development. The mammal protection measures would suffice to ensure no direct harm to otters. We advise that this information should be included in the CEMP. In addition, the sensitive lighting scheme which would be required to safeguard bats will also protect otter/water vole habitats.

All surveys completed of the site and surrounding water bodies to date have been negative for great crested newt (GCN).

- 7.46 The breeding bird report (Uskmouth AW2 Battery Energy Storage System 784-B070326 Breeding Bird Survey Report, Revision V2, by Tetra Tech Ltd dated July 2025) suggests that habitats on site could support breeding Little Ringed Plover, a Schedule 1 species under the Wildlife & Countryside Act 1981 (as amended). A Breeding Bird Protection Plan should be submitted via condition. This should include details of appropriate curtailment or redirection of activities during particular times of year if additional species (such as Little Ringed Plover) are found to be nesting on site.
- 7.47 The Council's Ecologist supports the methodology and conclusions of the Preliminary Ecological Appraisal supporting this application and the Green Infrastructure Statement supports a series of avoidance, retention and mitigation measures but falls short of explaining how net benefit for biodiversity will be achieved. No evidence is provided that the loss of extent, diversity, connectivity and condition of the ecosystem would be compensated for to the extent that these attributes are greater after development than before. Therefore, officers recommend a planning condition to require the submission and implementation of a biodiversity enhancement scheme which sets out in detail how a net gain in biodiversity and ecosystem resilience will be achieved.

Land Contamination

- 7.48 On the matter of land contamination and impact upon controlled waters, NRW considers a suite of planning conditions can suitably address the need for further information and safeguard matters of interest. This is compatible with the outcomes and recommendations in the Geo Environmental Report accompanying the application which confirms that previous investigations adjacent to the site and within the wider Uskmouth Power Station area have found concentrations of a range of contaminants both within both the soil and groundwater sampled. This is not surprising given the industrial history of the site.

Officers are satisfied with the information provided and subject to the conditions recommended consider the development accords with policies SP9 and GP5.

Fire and safety risk and associated impact upon neighbouring land uses and the environment along with cumulative effects and environmental factors associated with longer term end of battery life operational matters and disposal of waste

- 7.49 This is considered relevant as battery fires may be infrequent but can have major implications. This proposal is of large scale and will be close to another consented battery energy storage project and an operational Combined Cycle Gas Turbine (CCGT). Similarly, batteries have a limited lifespan and their disposal is relevant in terms of the wider environmental implications of this. The site will have an operating lifespan of approximately 40 years. Battery cell replacement is likely over the lifetime of development and consequently some periodic battery exchange will be required. It is reasonable to assume this will occur very infrequently over the lifetime of development and only once battery efficiency dips below the expected level. The removal of the cells in itself is unlikely to pose any environmental effects and limited risks on site. There are no plans to dispose of the batteries on site but clearly they will have to be disposed of and dismantled elsewhere. Officers consider that a condition for a scheme of battery replacement to be agreed is appropriate as large scale battery replacement cycles will have other implications, notably on traffic generation.
- 7.50 An outline Battery Safety Management Plan (May 2025) supports the application. A Final Battery Safety Management Plan will be required and must be subject to condition. This must include for emergency planning. It is noted that no objections to the development have been received from the Health and Safety Executive, Wales and West Utilities or the Fire Service.
- 7.51 For the purposes of the above document, it is assumed that the BESS system will be based upon lithium-ion ('LFP') battery technology that is commonly used on other sites being developed in the UK. BESS are being widely deployed in the UK, and worldwide, to provide a range of electrical services to the electricity grid network. These systems are primarily lithium-ion rechargeable batteries housed in battery units fitted with electrical and safety management equipment.
- 7.52 The Outline Plan tells us that the site includes two separate vehicular access points to the BESS compound to account for varying wind conditions / direction and incident location. This includes a main access point to the east and a western secondary access point ensuring it always has access to the site if required. The site layout has been configured to provide suitable junction and turning radii immediately at the site entrance to allow emergency vehicles to travel in either direction around the site depending on the fire location and weather conditions on the day. Roads and hardstanding areas have been designed to accommodate fire service vehicles, including the avoidance of any extremes of grade. All access tracks have been designed to ensure adequate spacing is provided for emergency vehicles to access all areas of the site if required.
- 7.53 Spacing between battery units is 3.5-4.5 m between battery enclosures. This complies with industry guidance, but will be subject to additional detailing by way of final site layout details and final safety plan. The areas between and around the equipment will be finished with gravel and kept free of vegetation or other combustible material. This includes the avoidance of combustible vegetation within 10 m of battery units. Surrounding vegetation, including that proposed as part of the landscape design, will also be maintained regularly to ensure it does not impede on access to the site. The applicant will and already does engage with South Wales Fire and Rescue Service (SWFRS). It is understood that SWFRS have visited the wider development site and raise no objection as part of this application consultation process. The expected firefighting approach from SWFRS during the unlikelyhood of

a fire event is to manage a 'controlled burn', with details to be developed and confirmed in an emergency response plan that must form part of the Final Battery Safety Management Plan. This means in the unlikely event of a fire, the primary strategy is not to directly apply water to battery units, but to allow the battery to burn out with the distances between the units helping to avoid spread between blocks of battery units.

7.54 Potential impacts associated with the management of fire water run-off have been considered as part of the drainage design for the proposed development and have already been discussed in this report.

7.55 Once the site is fully tested and operational, maintenance will be undertaken on the BESS equipment at regular intervals recommended by the Original Equipment Manufacturer (OEM). This will encompass all BESS equipment supplied by the OEM including the fire detection and monitoring system with details included in the final safety plan. Fire suppression systems will be installed within battery units and if a fire does occur, the battery unit system will employ an automatic fire detection and suppression process, typically in the form of internal aerosol based fire suppression systems housed inside the battery units. As above, maintenance will be undertaken at regular intervals recommended by the OEM to ensure suppression systems are functioning correctly.

BESS equipment will be fitted with deflagration venting which will activate to safely direct energy externally from the battery unit in the unlikely event that an explosive atmosphere is created inside a battery unit. A Risk Management Plan will provide advice in relation to emergency response, including the identification of hazards and risks and how these are to be mitigated. The Emergency Response Plan will outline the procedures to be followed in the event of an emergency, comprising relevant site information including an up-to-date site layout, relevant on-site emergency resources, how the fire services will be alerted, evacuation procedures and emergency contact information.

7.56 Severn Power raises a number of objections directly connected with fire and safety risks of BESS. The applicant has provided a full rebuttal to this in its Technical Response by Pearl Safety Solutions.

This document has contextualised the risk as very low based on central government data relating to the occurrence of battery energy storage fires.

As of Oct 2024. There were approximately 117 operational BESS sites in the UK and up to that point only one operational BESS fire (Orsted BESS, Liverpool, 2020). This incident involved outdated safety technology and predated current safety regulations and guidance.

Planning is not the only regulatory regime applicable to BESS. The Note confirms that UK projects are required to adhere to multiple other pieces of legislation, some of which are directly connected with fire risks. Some projects cited in the Severn Power response pre-date current rules.

Battery cells can overheat but real time more recent improved battery technology and monitoring limit risk.

7.57 The Liverpool BESS fire mentioned above arose from older battery technology and emergency response to the fire alert was confused. The Carnegie Road BESS was designed to meet the requirements of the initial 2017 National Fire Protection

Association (NFPA) 855 Standard for the Installation of Stationary Energy Storage Systems draft. NFPA 855 has since been revised and was published in 2020. The Significant Incident Report from the Orsted BESS does not identify a major contamination or environmental event as a consequence of the fire. No one was injured. International examples of BESS fires cited by Severn Power are also based on old technology. The Technical Note provided suggests that one of these, McMicken, had a profound impact on the industry leading to changes to regulations and safety standards.

- 7.58 The other international example cited by Severn Power has more limited information. However, a study identified system-level defects in BESS integration processes, potentially due to quality control shortcomings and inadequate safety checks during integration. It is also possible environmental factors were a cause. On April 15th, Beijing issued a yellow warning for gale, blue warning for sand dust, and orange warning for forest fires. The meteorological environment of strong wind and sand dust may cause dust accumulation in the energy storage system.

The need to evaluate residents in some international fires is mentioned in the objectors response but this is linked to one of the largest sites in the world in California. This site is older and safety standards have been updated several times since. The facility was on a University campus and consequently put a higher number of residents in close proximity. All the examples indicate loss of life is very rare as a direct consequence of BESS fires.

- 7.59 In relation to concerns about proximity to an existing pipeline, the site does not run parallel to a major gas pipeline according to the statutory undertaker's response and no objections are raised by relevant consultees on this point.

Thermal runaway is mentioned several times by the objector. Thermal runaway refers to a self-sustaining exothermic chain reaction in lithium-ion batteries, triggered by internal short circuits, overcharging, mechanical damage, etc. It is characterized by a rapid rise in temperature (exceeding 800°C), gas ejection (including flammable and explosive gases), and potential chain reactions in adjacent cells, ultimately resulting in system-level fires.

- 7.60 The Local Planning Authority is not best placed to evaluate the technicalities of such events but officers are satisfied that the information already supplied, other regulatory controls and the conditions recommended will provide acceptable mitigation.

The Technical Note further confirms:

A key concern in BESS fire events is the release of toxic gases, but studies indicate that emissions are largely confined to the immediate vicinity of the fire, with rapid dissipation and concentration reduction in open-air scenarios. It has also been shown that fires involving BESS share many similarities with conventional fires, particularly those involving plastics, in terms of combustion byproducts. This is because the materials that make up lithium-ion batteries—such as polymer-based separators, electrolytes, and enclosures—contain hydrocarbons and other organic compounds that produce similar combustion emissions when the materials are exposed to high temperatures.

- 7.61 Severn Power points to concerns that should a fire occur, power supply will be impacted and damage may occur to its related infrastructure leading to most of Wales losing power. The CCGT would likely be closed or destroyed.

We know that the CCGT has only recently re-commenced operation. The previous owner went into administration in 2020. Its contribution to the energy supply in Wales is clearly important but during its period of unavailability, Wales continued to be powered. There is no reason to consider that if the power station went offline for any reason, that the nation as a whole would lose power albeit that the CCGT makes a valuable contribution to energy supply.

- 7.62 BESS are intended to avoid power outages by storing and providing back up power and grid stability. The concerns of Severn Power are understandable and are in response to an outline battery energy safety plan. The relationship to the CCGT must inform a final safety plan and final layout and battery details.

Operational risks to the CCGT arising from PFA removal are linked to air quality impacts generally. We know that NRW is keen to see the waste product removed from site and we know that for other environmental reasons already discussed, dust will be a key factor to control, hence conditions are recommended. Ash storage and removal has been a key part of the coal fired power station use over recent years and the PFA storage area has developed since the construction and operation of the CCGT with no known issues arising.

Any decision by Severn Power to alter its on site emergency or operational plans or insurance requirements is a matter for the company. The proposal will not impede access to the plant or cut it off.

- 7.63 Officers consider that the “high risk” concerns identified by the objector are not justified and whilst there is a risk, such risk can be acceptably managed and should not form a reason to refuse planning permission when balanced against the strong policy support for such development and all evidence currently available.

Energy security and optimisation of energy storage to improve supply resilience

- 7.64 As discussed elsewhere in this report, national planning policy very clearly supports energy storage confirming that LPAs should, in turn, support such schemes wherever possible. Clearly schemes of this type and scale are best located on brownfield sites and industrial locations would appear very well suited to such infrastructure, with likely easy connections to existing grid apparatus and reduced potential impact upon sensitive receptors. The benefits of energy storage appear well made with very clear national policy support and being a brownfield site in an existing industrial location with existing supporting infrastructure appears to support basic and general sustainability principles. This policy support is given substantial weight along with the opportunity the development will afford to store energy to enhance energy security and supply resilience.
- 7.65 The objection of Severn Power has been considered and notably concerns for its long term operation if consent is given for this application. However this seems predicated on several concerns dealt with in the section above and duly considered. The operation of the gas fired power station is not directly impacted by the proposed development. They are separate sites and access to and from the CCGT site and its ability to produce power are not clearly impacted. The Severn Power site has re-commenced operations recently and has done so whilst other BESS sites have been considered and developed on the wider Uskmouth Power Station site. There is no allegation that the BESS site nearing completion has prejudiced the operation of the CCGT albeit that it too relies on the same access and comparable construction requirements. The application site is closer to the CCGT but many of the impacts in the objector’s response are wider scale. The cumulative safety impacts of the BESS sites here are discussed further in the above section.

Archaeology and the historic environment

- 7.66 The site is within an archaeologically sensitive area but the site consists entirely of land that has been historically and significantly disturbed and Heneb has raised no objections subject to condition.

Noise and disturbance and impact on residential amenity

- 7.67 The risk of noise and disturbance from the site during its operation is considered to be limited. Noise and disturbance arising from the construction period can be controlled via a Construction Environmental Management Plan and any complaints arising will fall within the regulatory control of the NCC Environmental Health team. The scheme is significant distance from sensitive residential receptors and is surrounded by noise generating industrial activity such as the gas fired power station. Operational noise from batteries is low and unlikely to be readily audible over background noise conditions, particularly having regard to site context in this case. Notwithstanding, a plant noise condition is recommended and any noise nuisance can be controlled by other regulatory controls should it arise.

8. OTHER CONSIDERATIONS

8.1 *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.

8.2 *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.

8.3 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.

A Socio-economic Duty is also set out in the Equality Act 2010 which includes a requirement, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage.

- 8.4 The above duties have 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. There would also be no negative effects which would impact on inequalities of outcome which arise as a result of socio-economic disadvantage.

8.6 *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.

8.7 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.

9. CONCLUSION

9.1 The proposed development will secure significant investment in this underused urban industrial site. Battery energy storage has national planning policy support and is encouraged in principle. It contributes to an efficient energy supply network and facilitates energy supply resilience and security. It supports the use of renewable energy sources as part of the supply network by removing excess supply, storing it and releasing it back to grid when wind and solar produce less energy (less light or wind) thereby encouraging a more stable network. National support stems from its contribution to a reliable energy supply derived from renewable (and sometimes inconsistent) sources. This site has many attributes that lend it to this type of development and the vital grid connection to make it viable is secured. The application is accompanied by extensive supporting documents that inform the assessment of material planning considerations and no objections to the scheme have been received from technical consultees.

9.2 Conditions are reasonable and necessary to ensure the scheme is delivered and operated in an acceptable manner in planning terms. The scheme has significant merit and officers consider that subject to the conditions recommended, the application should be granted.

10. RECOMMENDATION

GRANTED WITH CONDITIONS WITH DELEGATED AUTHORITY TO HEAD OF ECONOMIC DEVELOPMENT AND REGENERATION TO ISSUE DECISION IF NRW APPROVES THE HABITATS REGULATION ASSESSMENT/APPROPRIATE ASSESSMENT

- 01 The development shall be implemented in accordance with the following plans and documents:
Planning Statement by Carney Sweeney, dated May 2025
Design & Access Statement by Carney Sweeney, dated April 2025
Preliminary Ecological Appraisal V3 by TetraTech, reference 784-B070326 December 2024
GCN Survey Report by Tetra Tech, dated May 2025

Green Infrastructure Statement by Tir Collective R02, dated April 2025
 Landscape and Ecology Management Plan by Tir Collective, dated April 2025
 Tree Survey Report Treescene Arboricultural Consultants, dated March 2025
 Technical Response Uskmouth AW2 249MW BESS by Pearl Safety Solutions
 Uskmouth AW2 Battery Energy Storage System 784-B070326 Breeding Bird
 Survey Report by Tetra Tech July 2025
 Uskmouth AW2 Battery Energy Storage System 784-B070326 Report to Inform an
 Appropriate Assessment - Habitats Regulations Assessment Stage 1 Screening for
 Likely Significant Effect and Stage 2 Appropriate Assessment by Tetra Tech 29th
 July 2025
 AW2 USKMOUTH TECHNICAL NOTE (Flooding) by Tetra Tech 25th July 2025
 Information from Kate Gapper received in response to Landscape Officer
 comments (25/7/25)
 Uskmouth BESS Landscape and Ecology Management Plan (LEMP) R02 17 April
 2025 by Tir Collective.
 Afon Wysg 2 784-B070804 AW2 Energy Storage Limited April 2025 Document
 prepared by Tetra Tech Limited. Geo-Environmental and Geotechnical Desk Top
 Study
 AW2 USKMOUTH POWER STATION Flood Consequence Assessment 2 by RPS
 April 2025
 AW2 BESS, USKMOUTH Transport Assessment by RPS Version A 23rd May 2025
 PAC Report by Carney Sweeney May 2025
 OUTLINE BATTERY SAFETY MANAGEMENT PLAN AW2 Energy Storage
 Limited by Ecoenergy May 2025
 Reptile Survey report by Tetra Tech April 2025
 Drainage Strategy Report P02 by Burroughs 10th April 2025
 Uskmouth Power Station BESS - Air Quality Assessment by Arthian Issue01
 21/3/25
 Cover letter from carney sweeney dated 22nd May 2025
 Email from Kate Gapper dated 24th September 2025 (13:10)
 Email from Kate Gapper dated 19th September 2025 (11:37)
 Email from Clodagh Macken dated 13th August 2025 (11:36)
 Letter from Afon Wysg Energy Limited dated 11th September 2025
 P-AW2-101: Site Location Plan
 P-AW2-102: Existing Site Plan
 P-AW2-103: Proposed General Layout Plan
 P-AW2-104: Proposed Site Plan
 Q-AW2-201: Battery Elevation & Floor Plan
 Q-AW2-202: Substation Elevation and Floor Plan
 Q-AW2-203: PCS & MC Skid Container Elevation Plan
 Q-AW2-204: O&M Building Elevation & Floor Plan
 Q-AW2-205: Gate, Fence and Camera Details
 TC24293_LA100: Landscape Masterplan
 50683-BUR-XX-ZZ-D-C-10101-P2: Site Elevation Plan
 50683-BUR-XX-ZZ-D-C-10130-P4: Site Elevations

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 (except the removal of PFA) shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be

fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

- 03 No development, of land known to be / suspected of contamination, 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:
- a. all previous uses
 - b. potential contaminants associated with those uses
 - c. a conceptual model of the site indicating sources, pathways and receptors
 - d. 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.
- 04 Prior to any engineering works on site associated with the changing of ground levels, full details of slabs, retaining walls, piers or similar works required to elevate the electrical infrastructure shall be submitted to and approved in writing by the Local Planning Authority. This shall include layout and elevational details along with sectional drawings to a suitable scale to show the depth of such works above finished ground levels and shall ensure compliance with all recommendations set out in the supporting documents to this application. The works shall be undertaken in accordance with the approved details and retained thereafter.
- Reason: In the interests of visual amenity and flood risk mitigation. SP1, SP3, SP8, GP6 and GP2 of Local Development Plan.
- 05 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, but not be limited to:
- 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.
 - Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures. The mammal protection measures outlined in the approved PEA must be included in the CEMP.
 - Soil Management: details of topsoil strip, storage and amelioration for re-use.

- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
 - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
 - Traffic Management: details of site deliveries, plant on site, wheel wash facilities and HGV routing.
 - 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 detail.
 - Landscape/ ecological clerk of works to ensure construction compliance with approved plans and environmental regulations. 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. Policy GP2, GP4 and SP9 of the LDP.

06 No development or phase of development, shall commence until a Breeding Bird Protection Plan (BBPP) has been submitted to and approved by the Local Planning Authority. The BBPP shall include but not be limited to:

- vii. Methods for survey including locations of monitoring (vantage point locations) and walked routes;
- viii. Timing and duration of monitoring;
- ix. Appropriately qualified persons and equipment to carry out monitoring;
- x. Timing and format for presenting and dissemination of monitoring results including submission to all data relevant databases;
- xi. Contingency prescriptions that will be carried out in the event of failure to undertake required surveillance;
- xii. Details of prescriptions to avoid disturbance to breeding birds; particularly in relation to species listed under Schedule 1.

The BBPP shall be carried out in accordance with the approved details.

Reason: A BBPP should be submitted to ensure that potential adverse impacts on breeding birds are appropriately managed, particularly in relation to those listed under Schedule 1. Policy SP9 of the LDP.

07 No development shall take place on the site until a method statement comprehensively detailing the phasing and logistics of construction has been submitted to and approved in writing by the Council as Local Planning Authority. The method statement shall include, but not be limited to:

Construction traffic routes, including provision for access to the site and how conflict with other users will be avoided

Entrance/exit from the site for visitors/contractors/deliveries

Location of directional signage within the site

Siting of temporary containers

Parking for contractors, site operatives and visitors

Details of how access routes to neighbouring uses will be maintained or modified during construction phase

Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction

Temporary roads/areas of hard standing

Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements

Details of abnormal vehicles, frequencies, timing and routing

Storage of materials and large/heavy vehicles/machinery on site

Measures to control noise and dust

Details of street sweeping/street cleansing/wheelwash facilities

Details for the recycling/disposing of waste resulting from construction works

Hours of working

Phasing of works including start/finish dates

Emergency Plan

For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway. The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers

- 08 Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used during both construction and operational phases
- Drawings setting out how light spillage will not extend beyond the site boundaries. If light spillage is to fall beyond the site boundary, details are required, together with mitigation to minimise the effects on protected species
- Details of lighting to be used both during construction and operation
- Measures to monitor light spillage during the construction phase, and once development is operational, and details of responsible personnel for monitoring and instigating remedial measures where appropriate

The lighting shall be installed and retained as approved during construction and operation.

Reason: A lighting plan should be submitted to ensure details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, namely otters and bats, their places of shelter and breeding, and their foraging and commuting corridors and in the interests of visual amenity. SP1, SP9, GP5 and GP2 of the LDP.

- 09 No development (except removal of PFA) shall take place on site until a fully detailed planting plan and Landscape Management Plan pursuant to the approved drawing TC24293_LA100: Landscape Masterplan has been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first import/export of electricity or completion of development whichever is the sooner; and any trees or plants which within a period of 5 years* from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Written confirmation shall be provided to the Local Planning Authority once the landscaping scheme has been implemented in accordance with the approved details.

* The 5 year period referred to in this condition shall commence once the landscaping has been completed in accordance with the approved details.

Reason: In the interests of visual amenity and ecology. SP1, SP8, SP9, GP2, GP5 of Local Development Plan.

- 10 Notwithstanding details submitted and prior to the commencement of development, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall set out a biodiversity enhancement scheme that demonstrates how a net gain in biodiversity and ecosystem resilience will be achieved and a timetable for its implementation and ongoing maintenance.
The biodiversity enhancement scheme shall be implemented in accordance with the approved plans/details approved and retained as such for the lifetime of the development.
Reason: The GIS sets out a series of avoidance, retention and mitigation measures, but does not explain how these would achieve a net benefit for biodiversity, such that the site will support greater biodiversity and ecosystem resilience value after development compared to the present baseline. This is required in the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).
- 11 No development (except removal of PFA) shall take place until full elevation and technical details of a temporary acoustic barrier to be installed between the construction site and the attenuation pond(s) has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the timing of such works and exact location and extent. The works shall be undertaken in accordance with the approved details.
Reason: In the interests of ecology and to mitigate impact to over wintering birds. SP9 and GP5 of Local Development Plan.
- 12 Prior to the commencement of development (excluding PFA removal), full and final details of the development indicated on the approved plans and approved parameters, including siting, number of units, dimensions, materials, layout, and finish shall be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved details and retained as such for the duration of the development hereby permitted.
Reason: The current layout is based on Rochdale Envelope principles and full and final details must be provided in the interests of amenity, safety, biodiversity, flood risk, drainage, landscape and transport.

Pre –operation conditions

- 13 The development hereby approved shall be undertaken in accordance with the approved Landscape and Ecology Management Plan by Tir Collective, dated April 2025
unless alternative details are sought and approved as part of the conditioning regime. A reporting timeframe to provide fully detailed Landscape Monitoring Reports are to be submitted to and approved in writing by the Local Planning Authority prior to first import or export of electricity from the site. The landscape and ecological management 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.
- 14 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 OUTLINE BATTERY SAFETY MANAGEMENT PLAN AW2 Energy Storage Limited by Ecoenergy May 2025.
The document must also clearly set out measures to avoid pollution from contaminated firewater including as a minimum the following:

- thermal runaway detection equipment, automated alert systems, automated fire suppression systems and planned responses to a fire to aid early detection and prevent spread of fire.
- sufficient spacing between units to prevent further spread of fires;
- how contaminated firewater and foam run-off will be prevented from infiltrating the ground or any offsite drainage networks with the use of impermeable surfaces, secondary containment and sealed drainage systems;
- sufficient storage capacity to contain contaminated firewater in the event of a fire.;
- means by which the risk of fire from battery exposure to a flood event has been avoided, and the proposed method of containing contaminated firewater and how this will operate effectively without the risk of pollution;
- the proposed method of transporting contaminated firewater off-site, including under the prevailing conditions of a fire at the site;
- post event cleanup and environmental remediation plan.

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. SP9, GP2 and GP7 of the Local Development Plan.

- 15 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.

- 16 Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to operation. To prevent unacceptable risks to controlled waters and ecological systems.

- 17 Prior to the operation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years)
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions

- Details confirming that the contingency and remedial actions have been carried out. The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: A long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters.

General conditions

- 18 The Landscape Monitoring Reports required by Condition 11 of this permission shall be submitted to and approved in writing by the Local Planning Authority, in accordance with the approved timetable approved as part of the aforementioned Condition. The Landscape Monitoring Report(s) shall include photographic records of the landscaping on site and outline what reinstatement measures, if necessary, are required for the landscaping along with a timetable for their implementation. All measures and works shall be completed in accordance with the approved details and programme following written approval from the Local Planning Authority.
Reason: To ensure appropriate landscaping is provided and well managed in the long term in the interests of ecology and visual amenity. SP1, GP2, SP8 and SP9 of Local Development Plan
- 19 All containerised units including switch room and control room and weld mesh fencing hereby approved shall be colour coated dark green RAL 6005 - Moss Green at time of installation. The units and fencing shall be maintained and retained in this state for lifetime of development.
Reason: In the interests of visual and landscape amenity. GP6 and SP8 of Local Development Plan.
- 20 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.
- 21 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority prior to any such works taking place, 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.
- 22 No more than 30 HGV movements* per day Monday to Friday and 14 on Saturday shall enter and leave the site during the construction phase of the development and these vehicles shall use the approved vehicle route provided in the approved CEMP document required by separate condition of this permission. There shall be no HGV vehicle movements on Sundays or Bank/Public Holidays. Such vehicles shall include all those associated with any site clearance, site preparation, construction, site commissioning and land raising/ engineering during the construction period. The applicant shall keep an up to date and legible log of all HGV and delivery traffic accessing and departing from site in association with the development and make this log available for inspection by officers appointed by the Council upon request. This

log must record the number, type (of vehicle including size), registration number, time and date of each vehicle entering site. The log shall be kept on site by a nominated person(s) to be notified to the Local Planning Authority and for the duration of development activity at the site.

* a movement equates to a single one way movement to or from the site.

Reason: To safeguard residential and recreational amenity and highway safety and in accordance with policy SP1, GP2 and GP4 of the adopted Local Development Plan.

- 23 All on site electrical infrastructure shall have a finished ground level no lower than 9.75m AOD.
Reason: To safeguard the development from flooding. SP1 of Local Development Plan.
- 24 The development shall be undertaken fully in accordance with all recommendations set out in the document entitled AW2 USKMOUTH POWER STATION Flood Consequence Assessment 2 by RPS April 2025.
Reason: To ensure mitigation of flood risk. SP1 of Local Development Plan.
- 25 The development shall be undertaken fully in accordance with all mitigation, compensation and enhancement measures set out in the following documents and this shall include all monitoring and maintenance requirements set out therein:
Preliminary Ecological Appraisal V3 by TetraTech, reference 784-B070326 December 2024
Landscape and Ecology Management Plan by Tir Collective, dated April 2025
Uskmouth AW2 Battery Energy Storage System 784-B070326 Breeding Bird Survey Report by Tetra Tech July 2025
Uskmouth AW2 Battery Energy Storage System 784-B070326 Report to Inform an Appropriate Assessment - Habitats Regulations Assessment Stage 1 Screening for Likely Significant Effect and Stage 2 Appropriate Assessment by Tetra Tech 29th July 2025
Uskmouth BESS Landscape and Ecology Management Plan (LEMP) R02 17 April 2025 by Tir Collective.
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.
- 26 No construction or site set up related operations shall take place outside the hours of 0700 to 1900 hours Monday to Friday and 0800 to 1300 hours on Saturday. No works shall be undertaken on Sundays or Bank/Public Holidays.
Reason: In the interests of ecology and amenity. SP1, SP9, GP5 and GP2 of local Development Plan.
- 27 Noise emitted from any future plant and equipment located at the site shall be controlled such that the rating level, calculated in accordance with BS4142 2014, does not exceed a level of 5dB below the existing background level, with no tonal element to the plant.
Reason: To safeguard nearby sensitive receptors from unacceptable noise disturbance. GP2 and GP7 of Local Development Plan.

NOTE TO APPLICANT

01 This decision relates to plan Nos:

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

03 As of 1st October 2012 any connection to the public sewerage network (foul or surface water sewerage) for the first time will require an adoption agreement with Dwr Cymru Welsh Water. For further advice contact Dwr Cymru Welsh Water on 01443 331155.

04 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.

05 The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

06 In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. We advise the proposed BESS activity does not require an environmental permit to authorise its operation. The proposed site incorporates land within the boundary of an extant installation environmental permit (SIMEC Uskmouth Power Limited - EPR/LP3131SW). This environmental permit will need to be surrendered, in full or partially. We recommend early consultation with the relevant NRW permitting teams to ensure all permits are in place prior to commencement of development. The fate of the pulverised fuel ash should be discussed with Waste Regulation officers as soon as practicable, se.waste.queries@cyfoethnaturiolcymru.gov.uk