

Delegated Decision Report

Application No:	26/0317	Statutory Period Expires:	17th June 2026
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Site:	Uskmouth Power Station, Land Adjacent to West Nash Road, Nash, Newport NP18 2BZ		
Proposal:	PARTIAL DISCHARGE OF CONDITION 4 (LANDSCAPE AND ECOLOGICAL MANAGEMENT) OF 25/0213 VARIATION OF CONDITION 01 (APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION 23/0949 FOR BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS, TO AMEND THE APPROVED DESIGN		
Applicant:	AW1 Energy Storage Limited		
Type:	Discharge Conditions	Ward:	Llanwern
Decision:	APPROVED		

1. BACKGROUND

- 1.1 The site has planning permission for the installation of a battery energy storage system at this established power station site.

2. SITE LOCATION AND CONTEXT

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

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The application seeks partial discharge of the following condition 04 of the primary permission:

The development hereby approved shall be undertaken in accordance with the approved Landscape and Ecological Management Plan: Afon Wysg Battery Energy Storage System by Enso Energy July 2023 unless alternative details are sought and approved as part of the conditioning regime. A reporting timeframe to provide fully detailed Landscape Monitoring Reports and additional measures for the enhancement of habitat for Shril Carder Bee 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.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
23/0949	BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	GC	11.01.2024
23/1045	PRIOR NOTIFICATION OF DEMOLITION OF 2NO. RANKS OF COOLING TOWERS AND ASSOCIATED STRUCTURES	PRIOR APPROVAL NOT REQUIRED	14.12.2023
24/0990	PARTIAL DISCHARGE OF CONDITIONS 3	APPROVED	23.01.2025

	(SLAB, RETAINING WALL AND PIER DETAILS), 4 (DRAINAGE STRATEGY) AND 7 (RAL COLOUR) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS		
24/0993	PARTIAL DISCHARGE OF CONDITIONS 5 (CEMP), 6 (LIGHTING DETAILS), 8 (CONSTRUCTION PHASING AND LOGISTICS METHOD STATEMENT), 9 (ARBORICULTURAL METHOD STATEMENT) AND 10 (TREE PROTECTION PLAN) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	APPROVED	16.01.2025
24/1016	PARTIAL DISCHARGE OF CONDITION 2 (CONTAMINATION) OF 23/0949 BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS	APPROVED	09.01.2025
25/0213	VARIATION OF CONDITION 01 (APPROVED PLANS AND DOCUMENTS) OF PLANNING PERMISSION 23/0949 FOR BATTERY ENERGY STORAGE SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND WORKS, TO AMEND THE APPROVED DESIGN	GRANTED WITH CONDITIONS	08.05.2025

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

The following LDP policies are considered to be relevant to the proposed development of this site:

- SP1 Sustainability

- SP3 Flood Risk
- SP8 Special Landscape Areas
- SP9 Conservation of the Natural, Historic and Built Environment
- SP18- Urban Regeneration
- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
- GP3 General Development Principles – Service Infrastructure
- GP4 General Development Principles – Highways and Accessibility
- GP5 General Development Principles – Natural Environment
- GP6 General Development Principles – Quality of Design
- GP7 General Development Principles – Environmental Protection and Public Health
- CE2 Waterfront Development
- CE3 Environmental Spaces and Corridors
- CE8 Locally Designated Nature Conservation and Geological Sites
- CE9 Coastal Zone
- CE10 Renewable Energy
- T3 Road Hierarchy
- T8 All Wales Coast Path
- W3 Provision for Waste Management Facilities in Development

Supplementary Planning Guidance (Adopted)

- Sustainable Travel SPG (July 2020)
- Wildlife and Development SPG (Dec 2025)
- Air Quality (SPG) (Feb 2018)

6. CONSULTATION RESPONSES

- 6.1 NCC LANDSCAPE OFFICER: The detailed Landscape and Ecological Management Plan (LEMP) April 2026 and appended Landscape Planting Plans [General Arrangement and Planting Plans Part 3-5] September 2025 have been revised to reflect the approved adjusted layout [ref 25/0213], all by Tetra Tech. No objection or comments.
- 6.2 NCC ECOLOGY OFFICER: no comments received to date.
- 6.3 CNC/NRW: We have no objection to the application as submitted and provide the following advice.

Landscape and ecological management: The Landscape and Ecological Management Plan (LEMP) by Tetra Tech (April 2026) and appended Landscape Planting Plans propose the use of Emorsgate seed mixes. These mixes include some key foraging species beneficial to Shrilc carder bee. Given the site's proximity to Newport Wetlands and the Gwent Levels: Nash and Goldcliff Site of Special Scientific Interest, we continue to advise the use of locally sourced seed would be preferable where practicable. We welcome the LEMP's commitment to investigating the sourcing of local seed from Gwent Wildlife Trust's Great Traston Meadows, as this would align with advice we previously provided and would be beneficial in ecological terms. Subject to the above, we are satisfied that the information submitted is adequate, and we have no objection to the discharge of the LEMP condition.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 Condition 04 was requested by NRW and seeks compliance with the approved LEMP or subsequent amended document and a requirement to provide a reporting timeframe to provide fully detailed Landscape Monitoring Reports and additional measures for the enhancement of habitat for Shrilc Carder Bee. NRW are satisfied with the updated document, as is the NCC Landscape Officer as it also updates the document and appends relevant updated drawings pursuant to the revision to plans approved by s73 permission 25/0213.

9. OTHER CONSIDERATIONS

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 The details are acceptable and condition 04 can be partially discharged.

11. **DECISION**

APPROVED

NOTE TO APPLICANT

01 This decision relates to plan Nos:

- PRJ01 TTE 00 ZZ DR S 5000 P01
- PRJ01 TTE 00 ZZ DR L 4002 P01
- PRJ01 TTE 00 ZZ DR L 4001 P01
- Landscape and Ecological Management Plan P01, April 2026 prepared by Burroughs

on behalf of Tetra Tech.

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

- SP1 Sustainability
- SP3 Flood Risk
- SP8 Special Landscape Areas
- SP9 Conservation of the Natural, Historic and Built Environment
- SP18- Urban Regeneration
- GP1 General Development Principles – Climate Change
- GP2 General Development Principles – General Amenity
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- T3 Road Hierarchy
- T8 All Wales Coast Path
- W3 Provision for Waste Management Facilities in Development

03 As consideration of this request did not raise significant additional environmental matters over and above those previously considered as part of the original application, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

04 It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.