

Ein cyf/Our ref: CAS-278776-C6L3  
Eich cyf/Your ref: 25/0220

Newport City Council  
Civic Centre  
Newport  
NP20 4UR

Dyddiad/Date: 01 May 2025

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: 26 AFFORDABLE DWELLINGS, NEW ACCESS WORKS, LANDSCAPE PLANTING, A NEW PUMPING STATION AND ASSOCIATED WORKS**

**LLEOLIAD/LOCATION: LAND AT TRASTON LANE, NEWPORT, SOUTH WALES**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 11 April 2025.

The Pre-Application Consultation (PAC) Report by LRM Planning Limited (February 2025) identifies we were consulted on the proposal during statutory preapplication consultation. We provided comments in our letter reference CAS-270706-J0B7 (17 January 2025). The PAC Report acknowledges our comments. We note amended information has been submitted for this application.

We understand the development site benefits from extant planning permission, your reference 05/0287, which was granted permission with conditions in August 2012. Our advice is provided in this context

**We have concerns with the application as submitted. We advise you consider the following technical flood risk advice prior to determining this application.**

### **Flood Risk**

We note the planning application was received on 19 March 2025 and validated on 10 April 2025. The [Ministerial Written Statement](#) accompanying the recently updated Technical Advice Note (TAN) 15: Development, flooding and coastal erosion (2025) states there will be a transitional period for the implementation of the TAN. It states planning applications which were submitted and registered before the publication of the new TAN will continue to be assessed against the previous version, however any development proposal, including those at pre-application stage not yet registered with the Local Planning Authority (LPA) will need to use the newly published version of the TAN. It is for your authority to determine which version of the TAN should be considered in the determination of this application. Our flood risk advice below is provided in consideration of TAN 15 (2004). If your authority deems our flood risk advice should be provided in consideration of TAN 15 (2025), please re-consult us advising us of this.

The planning application proposes highly vulnerable development (residential). Our Flood Risk Map confirms the site to be entirely within Zone C1 of the Development Advice Map (DAM) contained in TAN 15 (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and is within Flood Zone 2 and 3 (Sea).

Section 6 of TAN 15 requires the LPA to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate through the submission of a Flood Consequences Assessment (FCA) that the potential consequences of flooding can be managed to an acceptable level.

We have reviewed the FCA by PHG Consulting Engineers (07/04/2025). Our advice to you is the FCA fails to demonstrate the risks and consequences of flooding can be managed to an acceptable level for the reasons explained below. However, in consideration of the extant planning permission at the site, if your Authority is satisfied the predicted flooding consequences, as outlined below, are acceptable, we would advise the above referenced FCA be included in the list of approved plans and documents on the decision notice. This will secure the proposed finished floor level of the dwellings.

This FCA includes flood depths, extents, and risk hazard, which have been examined based on detailed model output data from the hydraulic model provided by us. The latest model output data was obtained. The following flood levels are provided:

- During the 0.5% (1 in 200 year) plus climate change annual probability tidal flood event, the predicted maximum flood level is 7.43 metres (m) above ordnance datum (AOD);
- During the 0.1% (1 in 1000 year) plus climate change annual probability tidal flood event, the predicted maximum flood level is 9.76m AOD.

The finished floor level (FFL) of the proposed dwellings is 7.43m AOD. Based on this FFL the FCA shows:

- During the 0.5% (1 in 200 year) plus climate change annual probability tidal flood event, the proposed dwellings are predicted to be flood free. This is compliant with A1.14 of TAN 15;
- During the 0.1% (1 in 1000 year) plus climate change annual probability tidal flood event, the proposed dwellings are predicted to flood to a maximum depth of 2.33m at a maximum velocity of 1.2 m/s. This flood depth and velocity exceed the tolerable limits in A1.15 of TAN 15;
- This flood depth and velocity result in a hazard to people classification for the site of 'Danger to All – includes the emergency services.' The FCA states the majority of the proposed evacuation route will pass through the 'Danger for All' area;
- In relation to third party impacts the FCA concludes: 'Given the small scale of the development, the small total footprint of proposed buildings, and the tidal nature of the flooding event, the displaced volume of flooding and the impact of displaced water is expected to be minimal...Therefore, it is considered that in an event of flooding, the development will not result in an increase of flooding elsewhere.' We are satisfied with this conclusion;
- The FCA proposes the management of flood risk by recommending an evacuation route; refuge areas; occupants sign up to our Flood Warning Service; and flood resilience measures be incorporated into the design of the development.

In accordance with A1.14 of TAN 15, the developer is required to demonstrate the site is designed to be flood free for the lifetime of development. We consider all residential development, including garden areas and driveways/parking associated with the dwellings, should be shown to be flood free. However, the FCA does not provide an assessment of the risks and consequences of flooding to these ancillary areas. Therefore, we cannot provide advice to you on this matter in relation to compliance with TAN 15. If you are minded to request this information from the Applicant, we would be happy to provide further advice.

During the 0.5% (1 in 200 year) plus climate change annual probability tidal flood event, the predicted maximum flood level is 7.43m AOD. The FFL of the consented dwellings in planning permission 05/0287 is 6.8m AOD. Therefore, during the 0.5% (1 in 200 year) plus climate change annual probability tidal flood event, the consented dwellings are predicted to flood to a depth of 0.63m. This does not comply with A1.14 of TAN 15.

The FFL of the proposed dwellings in this application (7.43m AOD) provides betterment in flood risk terms compared to the FFL of the consented dwellings in planning permission 05/0287 (6.8m AOD).

In this instance, we advise your Authority consider the extant planning permission at the site and the flooding risks and consequences when determining the application. If your Authority is satisfied the predicted flooding consequences, as outlined above, are acceptable, we would advise the above referenced FCA be included in the list of approved plans and documents on the decision notice. This will secure the proposed finished floor level of the dwelling.

#### Further Advice

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN 15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

#### **European Protected Species**

The Preliminary Ecological Appraisal by Ecological Services (December 2024) has identified a Ground Based Visual Roost Assessment of all trees proposed for removal and bat activity transect surveys are recommended for the site to gain an understanding of the sites usage by bat species. We recommend you seek the advice of your Authority's internal ecological adviser about the requirement for further information to be submitted in support of the application, the need for bespoke surveys, and the scope of further information, where required.

#### **Other Matters**

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

### **Advice for the Developer**

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the [NetRegs website](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

### **Sarah Lund**

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning  
Cyfoeth Naturiol Cymru/Natural Resources Wales

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.