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Ty Derwen, Church Road, Newport Flood Consequences Assessment Addendum and Clarification

This note is provided to clarify the conclusions of the Flood Consequences Assessment for Ty Derwen in response to the Planning Officer's report and the consultation comments issued by Natural Resources Wales. The purpose of the note is to address whether the risks and consequences of flooding associated with the proposed change of use are acceptable in planning terms under Technical Advice Note 15: Development, flooding and coastal erosion (2025).

Natural Resources Wales has identified that the site is predicted to flood in the 0.5%AEP plus climate change and 0.1%AEP plus climate change events and has concluded that the development is not compliant with TAN15. This position reflects a technical assessment of flood hazard and consequence. TAN15 makes clear that the determination of acceptability is not a matter for Natural Resources Wales alone, but for the Local Planning Authority to consider in the context of site-specific circumstances, redevelopment constraints and the wider planning balance. Paragraph 11.8 of TAN15 explicitly recognises that greater flexibility may be applied to redevelopment, conversions and changes of use where the ability to substantially redesign a development is limited, and that the tolerable thresholds should be treated as guidance in such circumstances.

The proposed development at Ty Derwen is a conversion of an existing building rather than a new build. The layout has been arranged so that all primary residential accommodation is located at first floor level and above, with ground floor areas remaining non-residential in nature. Upper floor areas provide refuge above modelled flood levels. This approach reflects the same fundamental mitigation strategy that Newport City Council has accepted in recent comparable cases within defended tidal flood zones, most notably at 22 Chepstow Road. In that case, Natural Resources Wales objected on the basis that the site would flood in the 0.5%AEP and 0.1%AEP events and was therefore not compliant with TAN15. Notwithstanding this, the Local Planning Authority concluded that the risks of flooding could be appropriately managed through layout, refuge provision and operational measures and granted planning permission.

The Flood Consequences Assessment for Ty Derwen demonstrates that the site is subject to flooding in extreme tidal scenarios. This is not disputed. The critical planning question is whether the consequences of flooding are manageable. In comparative terms, the flood regime affecting Ty Derwen is no more onerous than that affecting schemes already approved by Newport City Council in similar locations. At 22 Chepstow Road, predicted flood depths exceed 2m in extreme events and the site is not flood free in the 0.5%AEP plus climate change scenario. Despite this, the Local Planning Authority accepted that the risks could be managed because vulnerable uses were located at upper floor level and refuge was available above flood levels. At Ty Derwen, residential accommodation is located at levels at or above the undefended 0.1%AEP plus climate change flood level and upper floor refuge remains available in all assessed scenarios. The development does not involve any extension of the building footprint, raising of ground levels or alteration of floodplain flow paths and therefore does not increase flood risk elsewhere.

Natural Resources Wales has also highlighted that access and egress may be constrained during extreme flood events. This characteristic is not unique to Ty Derwen and applies to large parts of Newport during extreme tidal scenarios. TAN15 does not impose an absolute requirement for dry access and egress in all events, but requires that warning time, emergency planning and refuge arrangements are considered. At Ty Derwen, significant tidal flood warning lead times are available, occupants have access to upper floor refuge areas and a Flood Response and Evacuation Plan can be implemented. These measures are consistent with those accepted by the Local Planning Authority in recent redevelopment schemes within defended tidal flood zones.

The proposal does not result in any increase in flood risk elsewhere and aligns with the redevelopment principles set out in TAN15 paragraph 10.17. When assessed in the context of Newport City Council's recent decision-making, including the approval at 22 Chepstow Road, the risks and consequences of flooding at Ty Derwen are capable of being managed in accordance with TAN15. Refusal of the proposal on flood risk grounds alone would represent an inconsistent application of policy relative to comparable approved schemes where the level of risk to occupants is equal or greater than that at Ty Derwen.

On this basis, the Flood Consequences Assessment demonstrates that the proposed development satisfies the intent of TAN15 in the context of redevelopment and that the risks and consequences of flooding can be appropriately managed over the lifetime of the development.

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