



Newport City Council Planning Department
Civic Centre
Godfrey Road
NEWPORT
NP20 4RU

Kings Chambers
8 High Street
NEWPORT
NP20 1FQ

+44 (0)1633 413 514
info@jbaconsulting.com

www.jbaconsulting.com
Follow us:

Registered Office
1 Broughton Park
Old Lane North
Broughton
SKIPTON
North Yorkshire
BD23 3FD
United Kingdom

Jeremy Benn Associates Limited
Registered in England 3246693

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For the attention of Newport City Council Planning Officer

Our Ref: PTF-JBA-XX-XX-LT-Z-0001-S0-P01.01-
Response_to_Planning_Concerns.docx

09/10/2025

Dear Sir/Madam,

Response to Planning Comments for Planning Application 25/0497

Thank you for allowing us the time to respond to the concerns raised in Natural Resources Wales's (NRW) comments dated 14th August 2025 (CAS-283775-Y8K5). We understand that you are minded to object to the planning application because of NRW's comments. In this letter, we outline our responses to the concerns raised and propose amendments to address these concerns. We hope that you will engage with the applicant to find a way forward on this important scheme.

We believe that refusing this application on flood risk grounds would set a counterproductive precedent, blighting large parts of Newport from residential redevelopment, the repurposing of redundant commercial buildings, and prevent the provision of much-needed housing. We therefore wish to thoroughly explore the concerns, both technical and policy-based, that jeopardise these proposals.

Our response is set out in the following points:

1. NRW response states "*Therefore, the site is not compliant with TAN 15*". It is not clear what aspect of TAN15 NRW is referring to here, and therefore, the ground for their objection. This statement follows a paragraph commenting on access and egress. TAN15 does not establish absolute requirements regarding access and egress, and it is left to the local authority to consider such matters, as explained in TAN15 11.13. NRW are also clear in their published FCA guidance that they do not comment on matters of access and egress, as it does not fall under their remit.



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2. Section 6 of the FCA details the proposed flood mitigation measures and consideration of flood emergency access and egress. Specifically, this section details how tidal flood warnings currently come with substantial lead-in time before the onset of flooding. Typically, with today's technology, this lead-in time is approximately 2 days. It can be anticipated that this warning service will further improve over the next 50 years, probably substantially. If a flood were to occur, many areas of Newport will become inaccessible. However, there are numerous examples of recently approved developments in Newport where this has been acknowledged and accepted (eg 24/0756 & 22/1033).
3. NRW have requested that the upper end climate change estimate be used when assessing the 0.5% AEP plus climate change event. We are happy to provide this information if it will be helpful, although TAN15 is unclear on how this information should be applied to an FCA.

In the 0.5% AEP plus climate change event upper end estimate design event (2125) a flood level of 9.68mAOD and flood depths of 2.40m are predicted. This is very comparable to the 0.1% AEP plus climate change event reported in the FCA, with levels only 0.14m higher. We would be happy to provide mapping for this event, but it would look identical to Figure 5-2 in the FCA.

4. NRW state that TAN15 requires overtopping and breach assessment. However, TAN15 6.8 only requires this 'where appropriate'. We can confirm that the flood modelling includes for the overtopping of flood defences. Furthermore, we have considered carefully the requirement for breach modelling at this location. Figure 1, below, shows the location of the closest and most relevant flood defence to the site, approximately 350m northwest of the site.

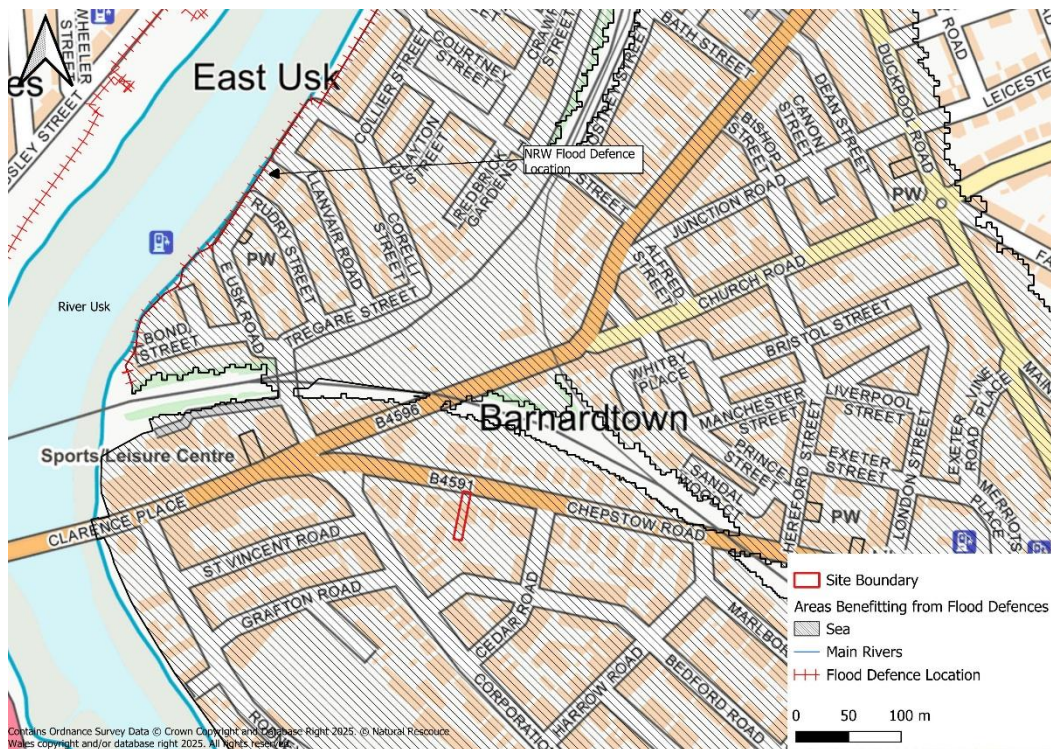


Figure 1 - Location of flood defences

This flood defence consists of NRW's Riverside Flood Alleviation Scheme (FAS). The £7m Riverside FAS was completed by NRW in 2012 (planning ref. 10/1322). It consists of very large sheet piles and ground anchors, driven to a significant depth into the banks of the River Usk. The flood defences were designed to accommodate the additional loading of being further raised in the future to account for climate change. The design of the defence is shown in Figure 2, below.

Given scale, nature and modern design of the flood defence, it is difficult to conceive of a realistic failure mechanism with anything other than the remotest probability of occurrence. We have therefore concluded that it would not be appropriate or proportionate to undertake breach modelling.

Notwithstanding this, the predicted flood level in the extreme 0.1% AEP design event, without breach, only differs by ~200mm between the river and 22 Chepstow Road. Therefore, a breach in the flood defence would not significantly change the flood risk at the site in the extreme event.

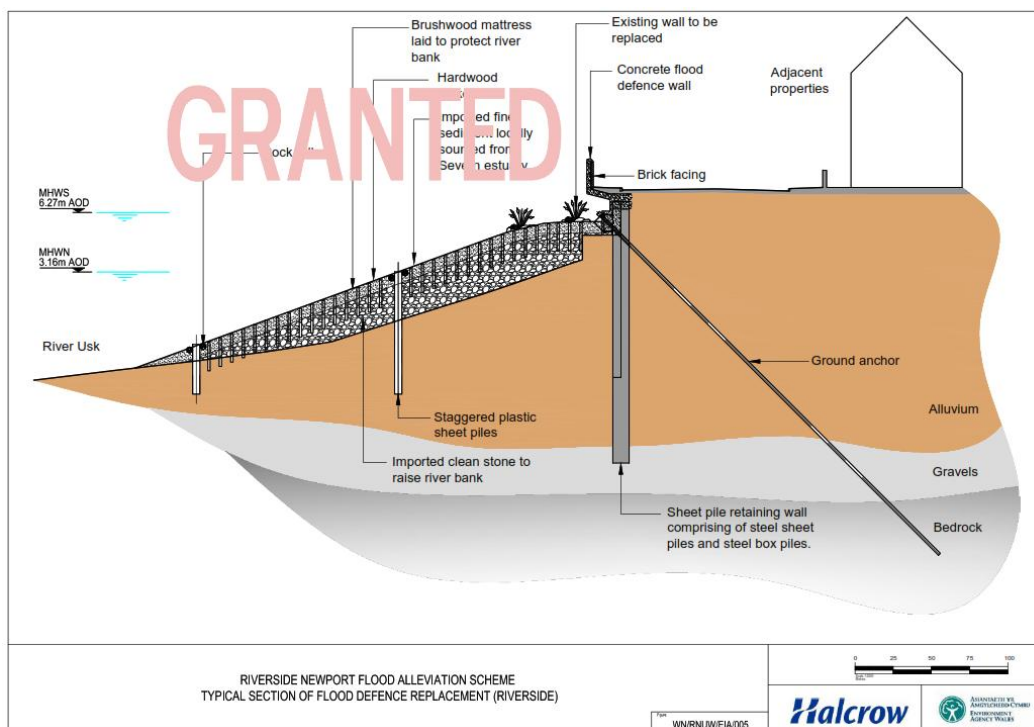


Figure 2 Riverside FAS - typical section (approved plans)

5. The NRW response does not acknowledge the flexibility afforded to redevelopment that is stated in paragraph 11.8 of TAN15 'The thresholds may be applied with more flexibility for redevelopment, changes of use, conversions and extensions, where the ability to substantially redesign a development is limited. In those circumstances, the thresholds are a guide.' The associated case arguing for the flexibility towards redevelopment has been presented in the FCA, and we hope that this will be reflected in the LPA's decision-making. We would suggest that, as detailed in 11.8, it is for the LPA to consider the specific circumstances when considering the acceptability of flood consequences.
6. We accept that during an extreme flood event, the area is at significant flood risk. This assumes that flood defences in the area are not improved in the intervening time. Analysis undertaken by JBA in 2020 showed that if flood defences in Newport were not improved, more than 10,000 properties would be at risk of flooding with flood damages from a single event reaching >£700m. In this context, it is hard to imagine that flood defences in the city will not be improved as planned. This was also the view of the Welsh Government at the M4 relief scheme planning enquiry.

7. The extreme assessment of flood risk also assumes a lifetime of development of 100 years. TAN15 10.28 states that “**Generally**, it is appropriate to think of new dwellings as having a lifetime of 100 years.” A 100 year lifetime is not an absolute requirement, and in this case given the age of the building, previous residential use, and the nature of the proposals to provide short-medium term accommodation, there is a strong case for considering a low lifetime of development. We would be happy to present our detailed flood modelling information which shows that the development is predicted to remain entirely flood-free up to 2075 and compliant with the TAN15 acceptability most of the way to the end of the century.
8. Recognising and acknowledging the concerns of NRW and the LPA, the applicant is willing to rework the scheme to remove the two groundfloor residential bedrooms. However, for reasons of security and welfare, the applicant wishes to retain the overnight staff accommodation. This staff accommodation is distinct from the residential units, in that it is used by staff on a temporary and rotational basis. Therefore, it is not a primary residence and could easily and quickly be evacuated if required. The applicant would be happy to submit revised plans to this effect.

We trust that you and NRW will give careful consideration to our comments. We would be happy to provide any further information that you feel would assist in your decision-making.

Yours sincerely,



George Baker BEng, FCIWEM, C.WEM, CEnv, IEng, AIEMA

For and on behalf of Jeremy Benn Associates Limited

Associate Director

george.baker@jbaconsulting.com