

Ein cyf/Our Ref: CAS-282335-W4K9
Eich cyf/Your Ref: CONNEX/25/0428

Grant Hawkins
Newport City Council
Regeneration, Investment & Housing
Civic Centre
Newport
NP20 4UR

Dyddiad/Date: 2 July 2025

Annwyl Mr Hawkins/Dear Mr Hawkins

BWRIAD/PROPOSAL: CHANGE OF USE OF GROUND FLOOR FROM B1 TO D1 AND FIRST FLOOR FROM B1 TO 7NO BEDROOM HMO (PART RETROSPECTIVE).

LLEOLIAD/LOCATION: TY DERWEN, CHURCH ROAD, NEWPORT, SOUTH WALES, NP19 7EJ.

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 9 June 2025.

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

The planning application proposes retention of change of use of ground floor from B1 to D1 (less vulnerable development) and first floor to a House of Multiple Occupation (HMO) which is defined as highly vulnerable development in Technical Advice Note 15: Development, flooding and coastal erosion (TAN15), dated 2025. The [Flood Map for Planning](#) (FMfP) identifies the application site to be at risk of flooding within Flood Zone 3 – Sea and TAN 15 Defended Zone.

As the highly vulnerable element of the scheme is located above ground level, we are satisfied it is elevated from any flood risk. A less vulnerable use is being maintained on the ground floor.

However, it is for planning authorities to determine whether the risks and consequences of flooding are acceptable. Therefore, you should be satisfied that the proposal has fully considered access requirements, including evacuation routes used in an emergency flood event.

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.

Therefore, we have reviewed the FCA undertaken by Flume Consulting Engineers, dated May 2025, Version 2, Job Number: 1397

Our advice to you is that the FCA fails to demonstrate that the potential risks and consequences of flooding are manageable for the reasons explained below.

The FCA states:

- The ground floor will be entirely non-residential and is expected to accommodate commercial use and services only.
- All residential accommodation including bedrooms, communal areas and the primary refuge space will be located on the first floor, with finished floor levels at approximately 9.68m AOD.
- The proposed finished floor levels are: Ground floor (non-residential): 7.83m AOD, First floor (all residential accommodation): 9.68m AOD.

During a 0.5% (1 in 200 year) plus climate change allowance (2115) annual probability tidal flood event, the predicted flood depth is 7.83m AOD. Based on a ground floor finished floor level of 7.83m AOD the proposed development is predicted to be flood free.

During a 0.1% (1 in 1000 year) plus climate change allowance (2115) annual probability tidal flood event, the predicted flood depth is 9.00m AOD. Based on a ground floor finished floor level of 7.83m AOD the proposed development is predicted to flood to a depth of 1.17m AOD. This exceeds the tolerable limits in Figure 6 of TAN 15. However, we note that the HVD element of this proposal is at first floor level only and is predicted to remain flood free in this event.

We note that no assessment has been included within the FCA regarding potential flood velocities.

The FCA states that the consultant used data from the Newport_5_v8.0_2022 model which incorporated both central and upper-end climate chance allowances to the 2115 epoch. However, it is not clear which estimate is used within the FCA when referencing flood levels.

The FCA has not used the full allowance for climate change to 2125. Potential flood depths are likely to increase when the full allowance of climate change is included.

The FCA confirms that the conversion does not include any ground raising, extensions to the building footprint or alterations to the existing layout and would therefore not affect flood storage or flow paths. Therefore, we provide no further comment on this aspect of the proposed development.

In summary, the proposed development is not compliant with TAN15 due to predicted flood depths exceeding tolerable limits in the 0.1% plus climate change flood event and the full allowance of climate change not being used. However, as stated the highly vulnerable aspect of this development is at first floor level and above predicted flood depths. Therefore, we have no objection to the application as submitted. If your authority are minded to request a revised FCA to address the issues raised above then we would be happy to provide further technical advice on any FCA submitted.

Further advice

Access/Egress

Whilst it is recognised that the first-floor residential unit will remain flood free during the extreme flood events, the ground floor commercial units will experience flooding, as will access to the building. The site is accessed directly from Church Road with two pedestrian entrances available to the public. However, flood modelling shows that Church Road is expected to flood to depths of up to 1.546m during the defended 1 in 1000-year 2115 event which exceeds the tolerable access thresholds for highly vulnerable use. Safe, dry access cannot be maintained during the extreme events and the development cannot rely on evacuation alone. Paragraph 11.3 states 'In all circumstances, developers and planning authorities should ensure the following conditions are met:

- Escape/evacuation routes present
- Flood emergency plans and procedures agreed and in place'.

The flood defences in the area are in the form of a flood wall, which is given a poor current condition rating – the FCA suggests that breach data is available, and this should therefore be provided within the FCA. The requirements for overtopping and breach are now more explicit in the new TAN and are covered within Sections 4.5, 6.8, 10.13 and 10.26 and Figure 2. Overtopping and breach should be the 'design event' as per paragraph 10.26, with reference to Figure 5 of the TAN.

To accord with the revised TAN15 and to gain a full understanding of the risks and consequences to the proposed site, a breach assessment should be undertaken. Further information on breach can be found on the following link

- <https://cyfoethnaturiolcymru.sharepoint.com/teams/communications/Intranet/Guidance%20Notes/GN043%20Modelling%20for%20breach%20and%20blockage%20scenarios.pdf>

Other Matters

The advice in this letter relates to matters which are included on our [consultation topics list](#). We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

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.

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

Yn gywir/Yours faithfully

Andrew Hurst

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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.