

## **Council Response to Flood Risk matters on Employment sites.**

### **1. Summary**

- 1.1 The employment uses on the sites EM1(i), EM1(ii), EM1(iv) and EM1(v) are considered to meet the definition of less vulnerable uses as set out in national planning policy. The broad assessment undertaken of the consequences of flooding, and in consultation with NRW, illustrate that the risk can be managed and the proposed uses are key to the implementation of the employment-led growth strategy of the LDP. It is considered that although the sites are greenfield in nature, the social and economic impacts of the site outweigh the very limited environmental impact which can be adequately managed for the lifetime of the development. To provide absolute clarity to the situation it is suggested that the supporting text for each of the sites in the Plan makes reference to the flood risk associated with the site, to ensure this constraint is known to the developer and decision maker.
- 1.2 The Council's Employment Land Review references the importance of greenfield sites with good motorway access as these are likely to prove more viable than constrained brownfield sites. They also offer greater flexibility in terms of scheme configuration. In terms of delivering Newport's strategy, greenfield employment sites are critical.
- 1.3 This approach is considered to be consistent with TAN15. Paragraph 2.2 notes that a precautionary approach should be given appropriate consideration whilst recognising that development will continue to be necessary in flood risk areas i.e. coastal areas of South Wales. In addition this is supported by paragraph 6.1 which states that, some flexibility is necessary to enable the risks of flooding to be addressed whilst recognising the negative economic and social consequences if policy were to preclude investment in existing urban areas. There is a balance judgement to be made and in these cases the Council considers that the economic impact and adequate management of flood risk outweigh the impact to the loss of a greenfield site.

### **2. Policy Framework**

- 2.1 The LDP contains an appropriate flood risk policy framework which sits alongside National Planning Policy. This approach will result in all development proposals providing evidence to comply with all levels of the policy framework. To ensure that the flood risk is not overlooked at the planning application stage it is considered necessary that the supporting text associated with each of the employment sites highlights this constraint.

### **3. Assessment Process**

- 3.1 Background Paper SD86 - Flood Risk Background Paper, Newport City Council, 2013, sets out the Council's justification relating to each of the site allocations within the Plan located in flood risk. The background paper notes how the four employment sites score against the justification test in Section 6 of the TAN. To satisfy the assessment of flood consequences required by the TAN, a SFCA was undertaken for the four sites. A summary of the SFCA is noted in the justification test table (Test iv) set out in the site assessment summary below. It must be noted that TAN15 states the need for a broad level assessment which is what the SFCA has done. It is not possible at this stage to achieve the detailed level of assessment required by TAN15. This will be achieved at the planning application stage.

3.2 A summary of the justification for each site is set out below. The justification against the Acceptability Criteria (section 7 & appendix 1) is set out in the SFCA. This evidences whether at the broad scale the site is acceptable in dealing with the consequences of flooding for the nature of the use, the escape/evacuation routes and that there is no increase in flooding elsewhere and highlights the type of mitigation required by the site. This level of detail e.g. agreement for construction and maintenance costs, flood resilient design will be dealt with at the planning application stage.

**Duffryn EM1(i)**

3.3 The southern section of this site is within flood risk zone C1, as illustrated by figure 1 below. This relates to 7.2 hectares of the total 38.5 hectares or just 19% of the employment allocation EM1(i).

3.4 The employment site at Duffryn has an element of serviced infrastructure and is part of a wider development proposed by the Welsh Government for employment uses for single users of >10ha projects that have the potential to bring a high level of employment. The boundary of the allocation has been drawn to follow defensible boundaries, avoiding the majority of the adjacent SSSI (an area of 0.8ha remains, requested by the Welsh Government Land Division) and the M4 protected route. It is considered that although the site is considered to be greenfield in nature, the flood risk can clearly be managed for a less vulnerable use and the economic benefits outweigh this part of the test.

3.5 The supporting text within the Plan, for the site EM1(i) Duffryn, does not mention the flood risk associated with the site. It is proposed that the text could be updated to reflect the flood risk associated with the site and therefore satisfy the requirement of TAN to highlight this risk. The additional supporting text to paragraph 6.6 is proposed to read: The Strategic Flood Consequence Assessment for the Plan identifies this site as requiring a Flood Consequence Assessment at the Planning Application Stage.

3.6 Justification against Section 6 of the TAN is set out in the following table:

<b>Revised LDP Ref</b>	<b>TEST I Necessary to assist or be part of a local authority regeneration initiative or local authority strategy required to sustain an existing settlement.</b>	<b>TEST II Necessary to contribute to key employment objectives supported by the local authority and other key partners to sustain an existing settlement or region.</b>	<b>TEST III It concurs with the aims of PPW and meets the definition of previously development land</b>	<b>TEST IV The potential consequences of flooding event for the particular type of development have been considered and in terms of the criteria contained in section 5 and 7 and appendix 1 found to be acceptable.</b>
EM1 (i) Duffryn	N/A	The site contributes to the employment land allocation within the LDP, as set out in the Employment	No. It is considered that the social and economic impacts of the site outweigh the limited flood risk	Stage 2 update indicates minor changes to the flood map extent. It is recommended that development is directed to areas within the site that are at a lower risk and take into

		Land Review. The allocation is therefore necessary to contribute to meeting the employment objectives of the LDP which will support the city and its employment role in the region.	which can be adequately managed for the lifetime of the development.	account appropriate allowances for climate change. A site specific Flood Consequence Assessment (FCA) or Stage 3 SFCA should be undertaken if these sites are progressed, in particular where highly vulnerable development is proposed.
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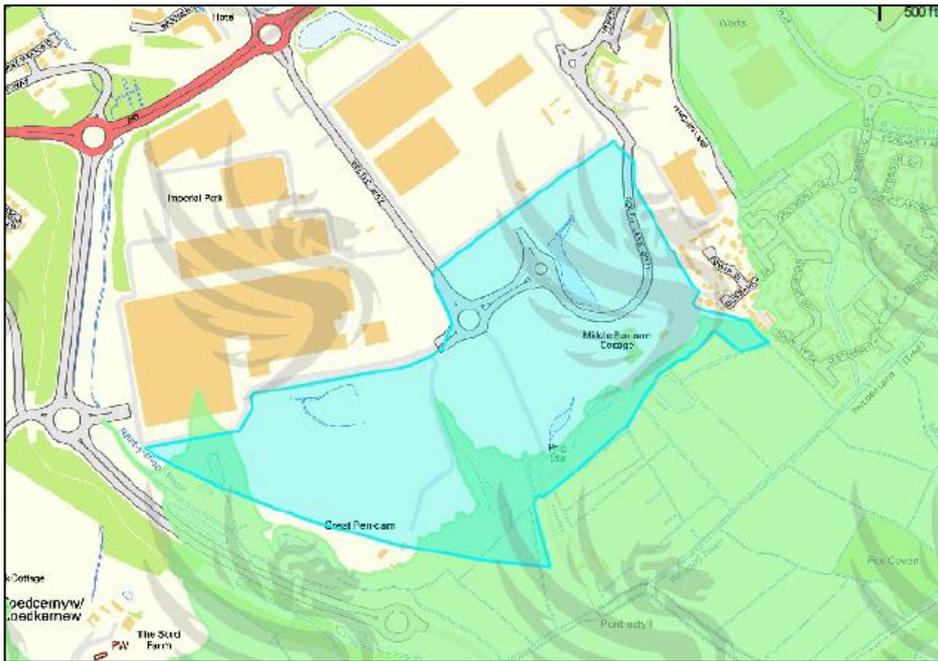


Figure 1

**East of Queensway Meadows, South of Glan Llyn EM1(ii)**

3.7 The site is located within flood risk zone C1. The site has been drawn to follow defensible boundaries, avoiding the SSSI and allowing the cohesive development of the area where infrastructure has already been installed (e.g. Tatton Road highway infrastructure). It is considered that background paper SD86 notes the justification for the allocation of the site within an area of flood risk. The evidence illustrates that the site only fails Test iii of the TAN and that it is considered that the social and economic impacts of the site outweigh the environmental impact which can be adequately managed for the lifetime of the development.

3.8 Justification against Section 6 of the TAN is set out in the following table:

Revised LDP Ref	TEST I Necessary to assist or be part of a local authority regeneration initiative or	TEST II Necessary to contribute to key employment objectives supported by the local	TEST III It concurs with the aims of PPW and meets the definition of previously development land	TEST IV The potential consequences of flooding event for the particular type of development have been considered and in terms of the criteria contained in section 5 and 7 and appendix

	<b>local authority strategy required to sustain an existing settlement.</b>	<b>authority and other key partners to sustain an existing settlement or region.</b>		<b>1 found to be acceptable.</b>
EM1 (ii) East of Queensway Meadows	N/A	The site contributes to the employment land allocation within the LDP, as set out in the Employment Land Review. The allocation is therefore necessary to contribute to meeting the employment objectives of the LDP which will support the city and its employment role in the region.	No. It is considered that the social and economic impacts of the site outweigh the environmental impact which can be adequately managed for the lifetime of the development.	Stage 2 update indicates minor changes to the flood map extent. It is recommended that development is directed to areas within the site that are at a lower risk and take into account appropriate allowances for climate change. A site specific Flood Consequence Assessment (FCA) or Stage 3 SFCA should be undertaken if these sites are progressed, in particular where highly vulnerable development is proposed.

### Solutia EM1(iv)

3.9 The site is located within flood risk zone C1. It is considered that background paper SD86 notes the justification for the allocation of the site within an area of flood risk. The evidence illustrates that the site only fails Test iii of the TAN and that it is considered that the social and economic impacts of the site outweigh the environmental impact which can be adequately managed for the lifetime of the development.

3.10 Justification against Section 6 of the TAN is set out in the following table:

<b>Revised LDP Ref</b>	<b>TEST I Necessary to assist or be part of a local authority regeneration initiative or local authority strategy required to sustain an existing settlement.</b>	<b>TEST II Necessary to contribute to key employment objectives supported by the local authority and other key partners to sustain an existing settlement or region.</b>	<b>TEST III It concurs with the aims of PPW and meets the definition of previously development land</b>	<b>TEST IV The potential consequences of flooding event for the particular type of development have been considered and in terms of the criteria contained in section 5 and 7 and appendix 1 found to be acceptable.</b>
EM1 (iv) Solutia	N/A	The site contributes to	No. It is considered that the social and	Stage 2 update indicates minor changes to the flood map extent. It

		the employment land allocation within the LDP, as set out in the Employment Land Review. The allocation is therefore necessary to contribute to meeting the employment objectives of the LDP which will support the city and its employment role in the region.	economic impacts of the site outweigh the environmental impact which can be adequately managed for the lifetime of the development.	is recommended that development is directed to areas within the site that are at a lower risk and take into account appropriate allowances for climate change. A site specific Flood Consequence Assessment (FCA) or Stage 3 SFCA should be undertaken if these sites are progressed, in particular where highly vulnerable development is proposed.
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**Gwent Europark EM1(v)**

3.11 This Employment site is part of an extant planning permission and its status as EM1 (v) reflects this extant permission. The supporting text for Gwent Europark does not mention the flood risk associated with the site. It is proposed that the text could be updated to reflect the flood risk associated with the site and therefore satisfy the requirement of TAN15 to highlight this risk. The additional supporting text to paragraph 6.13 is proposed to read: The Strategic Flood Consequence Assessment for the Plan identifies this site as requiring a Flood Consequence Assessment at the Planning Application Stage if a new application were to be submitted.

3.12 Justification against Section 6 of the TAN is set out in the following table:

<b>Revised LDP Ref</b>	<b>TEST I Necessary to assist or be part of a local authority regeneration initiative or local authority strategy required to sustain an existing settlement.</b>	<b>TEST II Necessary to contribute to key employment objectives supported by the local authority and other key partners to sustain an existing settlement or region.</b>	<b>TEST III It concurs with the aims of PPW and meets the definition of previously developed land</b>	<b>TEST IV The potential consequences of flooding event for the particular type of development have been considered and in terms of the criteria contained in section 5 and 7 and appendix 1 found to be acceptable.</b>
EM1 (v) Gwent Europark	N/A	The site contributes to the employment land allocation within the LDP, as set out in the Employment Land Review. The allocation is therefore necessary to contribute to	The site is on previously developed land.	Stage 2 SFCA recommends a number of mitigation measures. Also that either a Stage 3 or site specific FCA is undertaken.

		meeting the employment objectives of the LDP which will support the city and its employment role in the region.		
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