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30/06/2023

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: CHANGE OF USE TO FROM UPHOLSTERY BUILDING TO
HOLIDAY ACCOMMODATION TO INCLUDE NEW REPLACEMENT WINDOWS AND THE
INSTALLATION OF SOLAR PANELS.**

**LLEOLIAD / LOCATION: STANDARD UPHOLSTERY, PONTMORLAIS WEST,
MERTHYR TYDFIL, CF47 8UT.**

Thank you for re-consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the
above, which we received on 15/06/2023.

We continue to have concerns with the application as submitted because inadequate
information has been provided in support of the proposal. To overcome these concerns, you
should seek further information from the applicant regarding flood risk. If this information is
not provided, we would object to this planning application. Further details are provided
below.

Flood Risk

We note that an emergency evacuation plan by George and Co, dated March 2022, has
been submitted in support of this application. We have no comments to make regarding this
plan and advise you to consider consulting professional advisors within your Authority. For
further information, please see further advice below.

We continue to consider the planning application proposes highly vulnerable development
(residential). Our Flood Risk Map confirms the site to be partially within Zone C2 of the
Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15:
Development and Flood Risk (2004). The Flood Map for Planning identifies the application
site to be at risk of flooding and falls into Flood Zone 2 and 3 (Rivers).

We refer you to Section 6 of TAN15 and the Chief Planning Officer [letter](#) from Welsh
Government, dated 9 January 2014, which affirms that highly vulnerable development

should not be permitted in Zone C2 (paragraph 6.2 of TAN15). The justification tests in paragraph 6.2 of TAN15 do not apply to highly vulnerable development in Zone C2.

We note that the application is for the refurbishment of the existing buildings with offices on the ground floor, and conversion to residential holiday accommodation above them. We also note however, that the development proposes to use areas of the ground floor for storage in association with the residential accommodation above. Section 5.2 of TAN15 outlines that the vulnerability attributed to a mixed-use proposal will be defined by the most vulnerable use. We have therefore assessed the application as a whole. If your authority is minded to accept the ground floor element use as remaining the same vulnerability, please see further advice below.

We have reviewed the Flood Consequences Assessment (FCA) (prepared for Merthyr Upholstery Building, Pontmorlais - undated) to provide you with technical advice on the acceptability of flooding consequences in accordance with Appendix 1 of TAN15. Our advice is that the FCA fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in line with TAN15.

The FCA submitted confirms that the application site is predicted to flood during the 1% (1 in 100 year) annual probability fluvial flood event. However, the FCA does not provide any predicted flood depths for current day, or an assessment for the 1% (1 in 100 year) plus climate change allowance (CCA) annual probability fluvial flood event in line with A1.14 of TAN 15.

The FCA also notes that the site is predicted to flood during the 0.1% (1 in 1000 year) annual probability fluvial flood event, but no further assessment of the criteria as contained in A1.15 of TAN15 has been provided. As such, we are unable to provide you with a technical assessment of TAN15.

We note that on the basis that the proposal is solely for the change of use of an existing building it is accepted that there will be no effect on flooding elsewhere.

If you agree the ground floor of the building is highly vulnerable development, we recommend that an updated FCA is submitted. We note that the mapped flood risk used by the submitted FCA is based on broad scale catchment flood risk modelling that does not provide detailed site-specific information. We therefore advise that the FCA should provide an assessment of flooding consequences using detailed flood risk modelling to show if the site would be flood free during the 1% (1 in 100 year) plus CCA annual probability fluvial flood event in accordance with A1.14 of TAN15.

In addition, the flooding consequences of the 0.1% (1 in 1000 year) annual probability fluvial flood event should be assessed. Currently, there has been no quantifiable assessment of the following to establish compliance with A1.15 of TAN15:

- Flood Depths
- Flood Velocities
- Rate of Rise and Speed of Inundation

Overall, we consider the FCA has not demonstrated the proposal is acceptable with regards to flood risk and in line with TAN15 criteria.

Further Advice

We appreciate the nature of the proposal; the ground floor proposed as an office and storage and only the first and second floors directly proposed for accommodation/residential uses. Therefore, if it is deemed that the ground floor of the application site will be less vulnerable development and the ground floor use is appropriately restricted (i.e., not used for overnight accommodation) and all accommodation is restricted to the first floor and above, we would have no objection to the development on flood risk grounds. Therefore, alternative to providing an updated FCA, you may wish to confirm the ground floor to be less vulnerable development and restrict all highly vulnerable development to the upper floors of the building.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, 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 or grant 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.

In addition, since the site of development is adjacent to the Nant Morlais (an 'Ordinary Watercourse'), we recommend you consider consulting your Lead Local Flood Authority as they may have further information on local flood risk that may assist in your determination of this application.

European Protected Species

We note a Preliminary Roost Assessment by Little Wing Ecology CYF, dated April 2023, has been submitted in support of this application. We refer you to your in-house ecologist for ecological advice regarding the need for or scope of any further surveys in the first instance. If you or your in-ecologist subsequently needs our advice regarding European or fully Protected Species, please reconsult us.

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

Due to the proximity of the site to Nant Morlais, all works at the site must be carried out in accordance with Guidance for Pollution Prevention 5: Works and maintenance in or near water, and Pollution Prevention Guidelines 6: Working at construction and demolition sites, which are available on the [NetRegs website](#).

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

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

Yn gywir / Yours faithfully

Frances Holms

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