



“This FCA concludes that there is no reason to object to the application on the grounds of flood risk. However, it is recommended that preparation of a robust Flood Emergency Plan is secured by way of a condition.”

Having read the FCA the NRW confirmed again that there was no objection on flood grounds and no increase in vulnerability in its letter of 22 September 2017, and stated (on page 2):

“...site occupants may face a similar likelihood of a flood event during the current opening season (through October) or the extended season (through December).”

The Appellant cannot understand this volte face and why the Council should recommend refusal given that the NRW have recommended approval three times and this has been supported by a detailed FCA which confirms there is no justification for refusal on flood risk grounds.

It would be most equitable and in everyone’s interest if the Committee would defer their decision until these issues could be discussed and resolved at a meeting.

In the absence of a meeting, my client’s only opportunity to discuss matters in detail would be at Appeal. He has been advised that he would be in a strong position to Appeal and to apply for his costs of doing so, given the strong evidence that there is no justification for refusing on flood grounds contained in the three NRW responses and the FCA.

A round table meeting would involve less time and costs for both sides and would provide the opportunity to find a mutually agreeable way forward without further significant costs and delay. A meeting which could resolve the matter at this stage would therefore be in all parties’ best interests.

A meeting would also provide the opportunity to go through the FCA in greater detail and could provide further reassurance, if it were needed, to the Council. For instance FCA shows that the majority of the site is above the Q100 1% level, as shown in “drawing 06” of the FCA. The Appellant believes that it would be beneficial to look at the issues in this level of detail to ensure there is no misunderstanding of the FCA and NRW assessments, and for the Council to be completely satisfied that there is no increase in vulnerability.

## **Recommendation**

It is considered that the proposed development would result in an increased period of occupation of a caravan site located within a flood zone. The flood risk is considered to be unacceptable. The recommendation is therefore one of refusal for the following reason:

1. The proposal will lead to an increase of the occupation period of highly vulnerable development within Zone C2 as defined by the development advice maps referred to under TAN15 Development and Flood Risk (2004). The development is contrary to policy SP14 of the Powys Unitary Development Plan (adopted 2010), Technical Advice Note 15 TAN 15 Development and Flood Risk (2004) and Planning Policy Wales (2016).