



**RTPI Cymru**

Royal Town Planning Institute  
Sefydliad Cynllunio Trefol Brenhinol

Royal Town Planning Institute  
Cymru (RTPI Cymru)  
Studio 107, Creative Quarter  
8a Morgan Arcade  
Cardiff  
CF10 1AF  
Tel +44 (0)20 7929 8197  
e-mail [walespolicy@rtpi.org.uk](mailto:walespolicy@rtpi.org.uk)  
[www.rtpi.org.uk/wales](http://www.rtpi.org.uk/wales)

23<sup>rd</sup> January 2020

e-mail response sent to: [PlanningPolicy@gov.wales](mailto:PlanningPolicy@gov.wales)

Dear Sir/Madam,

**Response to: Technical Advice Note 15: Development, flooding and coastal erosion**

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 25,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of planning, working for the long-term common good and well-being of current and future generations. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

The response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

RTPI Cymru welcomes this consultation and the updating of these important TANs, which are essential in responding to the need to make Wales more resilient. Our response to the consultation questions is set out below.

**Question 1 – Evolving from a precautionary framework to a risk-based approach - A key principle of the revised TAN 15 is to recognise different degrees of flood risk (see section 4). A new Wales Flood Map will replace the Development Advice Map and will distinguish between high/medium risk and low risk, with policies on development reflective of the degree of risk. Flood zones on the new Wales Flood Map will incorporate climate change allowances. To what extent do you agree or disagree with this change?**

The Technical Advice Note (TAN) recognises that the Use Classes Order could allow changes in flood risk areas from low vulnerability to high vulnerability uses without the need for a planning application. We question whether the proposal for Local Planning Authorities (LPAs) to issue an advisory note to developers is a sufficient response to this issue? We also have similar concern regarding permitted development rights continuing to be available in flood zone 3. Some permitted development rights could enable development to expand and consolidate in locations which are vulnerable. Needing to make a planning application would give the LPA a chance to consider what is appropriate.

There is a need to bring forward early discussions with Sustainable Drainage Approval Bodies and ensure that pre application is encouraged for sustainable drainage schemes that can then take forward consistent planning submissions.

**Question 2 – Roles and responsibilities - The revised TAN has sought to clarify the main roles and responsibilities of key organisations and agents in the planning system in respect of flooding and coastal erosion.**

The TAN helpfully sets out details of roles and responsibilities amongst flood Risk Management Authorities. It could go further to be equally explicit on the responsibilities of developers.

Issues around flood risk inevitably generate strong interest amongst local communities. Community engagement should take place at the pre-application consultation stage and guidance relating to this would be useful to stakeholders. TAN15 fails to mention the potential role of Place Plans in the overall picture. They represent a key change in the planning system since the previous TAN was drafted, yet are not recognised in the TAN. Stakeholder involvement can be key to confidence placed on the various area assessments detailed in the consultation. Community and Town Councils, where appropriate should be considered in any stakeholder exercises.

The TAN encourages LPAs to collaborate in the preparation of catchment-wide Strategic Flood Consequence Assessments. We question whether encouragement is likely to be effective and does the TAN need to be more prescriptive on this matter.

**Question 3 – Development categories - The development categories (section 6, figure 2) have been revised and updated, with some new development types identified (e.g. renewable energy) and some development types moving into different categories (e.g. public buildings, open space). To what extent do you agree or disagree with the development categories?**

The TAN categorises development types in terms of vulnerability, and offers guidance on justifying the location of development proposals. The TAN needs to offer more specific guidance where mixed use developments are proposed. Paragraphs 6.2-6.5 appear particularly vague.

**Question 4 – Strategic Flood Consequences Assessments - The revised TAN supports the plan-led system by encouraging planning authorities to build comprehensive consideration of flooding and coastal erosion into Development Plans, using evidence from Strategic Flood Consequences Assessments (section 7). To what extent do you agree or disagree with this approach?**

Stakeholder involvement in relation to Strategic Flood Consequences Assessments should include community engagement and Community and Town Councils as an integral part of the process.

#### **Question 5 – Major regeneration proposals**

The interface with the National Development Framework (NDF) will be important. The draft NDF included some proposals for growth in areas with high flood risks. The TAN needs to be strengthened to provide effective links with the NDF and guidance to LPAs in these circumstances. The TAN recognises that major regeneration proposals for areas at risk of flooding may come forward, and suggests that decisions on such proposals may need to be taken through the NDF or Strategic Development Plans (SDPs). We question whether more guidance is needed on how these are handled - the NDF and SDPs could prove to be too strategic, and so major regeneration proposals may come forward in LDPs.

**Question 6 – Surface water flooding - The revised TAN gives greater prominence and more guidance on considering surface water flooding in the planning system. It will be for planning authorities, with input from Lead Local Flood Authorities, to determine locally whether local planning policies on surface water flooding are required. To what extent do you agree or disagree with this approach?**

There is a need to bring forward early discussions with Sustainable Drainage Approval Bodies and ensure that pre application is encouraged for sustainable drainage schemes that can then take forward consistent planning submissions.

**Question 7 – Integrating coastal erosion issues into TAN 15 - National planning guidance on coastal erosion is currently set out in Technical Advice Note 14 (1998). It is proposed to cancel TAN 14, with the relevant guidance on coastal erosion updated and integrated into the revised TAN 15 (section 9). To what extent do you agree or disagree with this approach?**

This new TAN brings coastal erosion guidance from TAN 14, and proposes then to dispense with TAN 14. However, TAN 14 includes guidance on coastal planning issues much wider than just coastal erosion. While we believe that the new content, plus that in section 6.5 of Planning Policy Wales sufficient to accept the demise of TAN 14, links must also be clear with relevant content contained in the Wales National Marine Plan and Shoreline Management Plans.

We note the Draft National Strategy for Flood and Coastal Erosion Risk Management in Wales ([see our response to the consultation](#)) identifies the need for significant coastal adaptation to take place where settlements are threatened by rising sea levels and coastal erosion. It would be useful to have more specific advice on how such proposals may be brought forward through the planning system. There is a need for greater clarity on who should provide LPAs with advice on coastal erosion, and on how development proposals relate to Shoreline Management Plans etc.

Given the border with England, there will be situations where development proposals on one side of the border will have flood risk implications on the other side. There is a need for specific advice to cater for these circumstances.

**Question 8 - Justification and acceptability tests**

We support this approach and welcome the intention to update the guidance on the application of the tests on different types of development.

**Question 9 – Resilient design and flood defences - The shift towards a risk-based approach is complemented by additional guidance on making communities and properties resilient to flooding (section 13). There is also updated guidance on the considerations when new or improved flood defences are proposed. To what extent do you agree or disagree with this approach?**

The TAN includes advice on resilient design, but lacks links to TAN 12. Design for flood resilience needs to be more effectively integrated into wider design considerations.

**Question 10: We would like to know your views on the effects that revisions to TAN 15 would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.**

We would expect all engagement and advice services provided to be able to respond in both English and Welsh as required and that Welsh speaking communities are not disadvantaged in engaging effectively.

Specific proposals should be considered through Language Impact Assessments, ideally through the plan-making process, alongside other proposals in plans.

**Question 11: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed:**


The TAN needs to reference the use of planning obligations and securing off-site contributions, however, the wording of paragraphs 14.17-14.19 is slightly confusing. The first sentence of paragraph 14.18 - "*Where such works would provide a wider benefit, the funding provided by the developer may be proportional to the benefits they incur.*" – requires clarification. The term "wider benefit" is vague.

In terms of the 30 year period specified, while we do not raise any objections, it would be useful to understand the reason behind this time period.

Regarding viability, costs could vary significantly dependent upon the type of defence and mitigation. Local Authorities should consider the nature and scope of contributions to provide guidance to stakeholders on this matter. While we note current uncertainty around the Community Infrastructure Levy, it should be referenced in the TAN.

If you require further assistance, please contact RTPi Cymru on 020 7929 8197 or e-mail Roisin Willmott at [walespolicy@rtpi.org.uk](mailto:walespolicy@rtpi.org.uk)

Yours sincerely,



Dr Roisin Willmott OBE FRTPi  
**Director**