APPENDIX 1

Strategic Planning Group

Report to	Strategic Planning Group
Date of Meeting	24 April 2025
Lead Member	Councillor Alan James – Lead Member for Local Development and Planning
Report Author	Bethan Morris – Planning Officer
Report	**New TAN 15 – Development, flooding and coastal erosion**

1. What is the report about

1.1 This report provides information on the new Technical Advice Note (TAN) 15, Development, flooding and coastal erosion that came into effect on 31 March 2025.

2. What is the reason for making this report?

2.1 To inform Members of the new national planning guidance in place in respect of flood risk and coastal erosion.

3. What are the recommendations?

3.1 Members of the Strategic Planning Group note the content of this report.

4. Report Details

4.1 The new Technical Advice Note (TAN) 15 Development, flooding and coastal erosion was published on 31 March 2025. It replaces the old TAN 15 published in 2004 and TAN 14 on coastal erosion published in 1998.

4.2 A full copy of TAN 15 is available on Welsh Government's website at https://www.gov.wales/technical-advice-note-tan-15-development-and-flood-risk-2004

4.3 The new TAN 15 requires development to be assessed based on a new flood map, the Flood Map for Planning (FMfP). The Flood Map for Planning (FMfP) can be found on NRW's website at https://naturalresources.wales/flooding/flood-map-for-planning/?lang=en

4.4 The FMfP has been publicly available for some time on Natural Resources Wales' website and identifies 3 zones of flood risk from rivers, the sea, surface water and small watercourses. Throughout Wales there are nationally recognised defences in place against the risk of rivers or the sea flooding. These defences are identified as a new flood zone, TAN 15 Defended Zone which are visible on the FMfP and development within these zones is strictly controlled by this new TAN 15. There are only limited circumstances when development can occur in the TAN 15 Defended Zones which are set out below. In Denbighshire this particularly impacts Rhyl and Prestatyn which have sea defences in place, and St Asaph and Ruthin that have river flooding defences and are categorised as TAN 15 Defended Zones.

4.5 The new TAN 15 comes into effect immediately. The Replacement Local Development Plan must now follow the requirements of the new TAN 15. It is only planning applications that had already been registered that are exempt. The registered planning applications will continue to be assessed under the provisions of the previous TAN and on the basis of the older flood maps, the Development Advice Maps (DAM).

4.6 This report does not consider the differences between the old and new TAN 15 or TAN 14. This report will simply highlight the principal points that now require consideration based on the new TAN 15.

4.7 The FMfP maps out the different flood risk zones in Wales. The flood risk zones are categorised based on the chance of flooding in a given year plus an allowance for climate change and TAN 15 provides guidance as to what types of development can occur in these zones. Zone 1 is where the likelihood of flooding is very low, less than 0.1% and all types of development are permitted. Zone 2 is where there is a greater risk of flooding whilst Zone 3 is where there is the greatest flood risk. In Zone 3 essentially no new development is permitted. The Zones are as follows:

	Chance of flooding in a given year from		
Zone	**Rivers**	**Sea**	**Surface water and small watercourses**
1	Less than 1 in 1000 (0.1%) (plus climate change).		
2	Less than 1 in 100 (1%) but more than 1 in 1000 (0.1%) including climate change.	Less than 1 in 200 (0.5%) but more than 1 in 1000 (0.1%) including climate change.	Less than 1 in 100 (1%) but more than 1 in 1000 (0.1%) including climate change.
3	Greater than 1 in 100 (1%) including climate change.	Greater than 1 in 200 (0.5%) including climate change.	Greater than 1 in 100 (1%) including climate change.
TAN 15 Defended (Reviewed by NRW every 2 to 3 years)	Areas where flood risk management infrastructure provides a minimum standard of protection of 1:100 (plus climate change and freeboard, an uncertainty allowance applied in such schemes).	Areas where flood risk management infrastructure provides a minimum standard of protection of 1:200 (plus climate change and freeboard, an uncertainty allowance applied in such schemes).	N/A

4.8 When considering development regard now has to be given to not only the proposed development site but also the surrounding area. The impact of the development on the surrounding flood risk zones, erosion and instability as well as the impact on the surrounding land's ability to be resilient to flood risk and erosion is required. No development should be permitted if it increases the risk or severity of flooding on surrounding or adjacent land. It must be remembered that flood defence infrastructure will divert water away from a development which can lead to an increased risk of flooding elsewhere.

4.9 There is an increased reliance on Local Development Plans (LDPs) with additional requirements to be considered for LDPs including additional stakeholder engagement, such as marine authorities. Surface water and ordinary watercourse flood risk assessment is down to the Local Lead Flood Authority and so this assessment has to be carefully incorporated into local approaches in the LDP. Sustainable drainage schemes are something that LDPs now have to promote, ensuring that the management of water is a key part of site layout as well as key

consideration for the density of a development. Drainage has to be factored into the site selection process. LDPs have to identify what parts of the coast can be developed and the impact of cumulative effects from coastal developments. Emergency Planning teams and emergency services views on access and egress have to be included in the LDP.

4.10 LDPs are tested at examination and the local planning authority has to be satisfied that any site allocations will be resilient to flooding for the duration of the lifetime of the development. This is 100 years for new dwellings and 75 years for other types of development. The evidence that is required to support any policies or proposals affected by flood risk or coastal erosion must be established in the Strategic Flood Consequences Assessment and the Infrastructure Plan.

4.11 Strategic Flood Consequences Assessments (SFCAs) are the evidence base for informing LDP policies and site selection. SFCAs now need to be extremely robust and highlight where there is a need for locally specific approaches in LDPs. Not only do they have to consider all possible sources of flooding, coastal erosion, and safe access and egress routes whilst drawing evidence from a range of sources, but they have to spot what adaptive measures are required to address climate change. They have to identify land and interests that need to be safeguarded. SFCAs have to consider opportunities to slow and store water and pinpoint areas and locations where this can occur on a temporary or permanent basis in heavy rainfall events.

4.12 The LDP Infrastructure Plan has to show the capacity, location, funding and timing of any required flood mitigation measures including new and enhanced defences. In particular the Infrastructure Plan must show how the funding will be secured and consider private sector contributions. Any flood-related requirements for allocated sites have to be specified in the LDP making it clear what the developer needs to undertake prior to submitting a planning application. This includes specifications in terms of access and egress such as consultation with sewerage companies and emergency services.

4.13 Furthermore, local authorities who permit schemes before the flood mitigation infrastructure is in place will be deemed to have decided that the risk of flooding is acceptable and will be publicly accountable for their decisions.

4.14 In terms of where development is permitted this depends on the vulnerability category of the development. TAN 15 provides guidance as to what is highly

vulnerable development (HVD) such as houses, what is less vulnerable development (LVD) such as car parks and water compatible development like marinas.

Vulnerability Category	**Types**: Applicable to Notification Direction. Not Exhaustive.
HVD	Development where there is a limited ability of occupants to decide on whether they wish to accept the risks to life and property associated with flooding or be able to manage the consequences of such a risk. Industrial uses where there would be a risk to the public and the water environment if the site is inundated in a flood event.
Highly vulnerable development (HVD)	• All residential premises – hotels, Gypsy & Traveller sites, caravan parks and camping sites. • Schools and childcare establishments colleges and universities. • Hospitals and GP surgeries • Especially vulnerable industrial development - power generating and distribution elements of power stations, transformers, chemical plants, incinerators – and waste disposal sites. • Emergency services, including – ambulance stations, fire stations, police stations, command centres, emergency depots. • Buildings used to provide emergency shelter in time of flood.
LVD	Development where there is a greater ability of the occupants to decide if risks and consequences are acceptable.
Less vulnerable development (LVD)	• General industrial, employment, commercial and retail development. • Transport and utilities infrastructure. • Car parks. • Mineral extraction sites and associated processing facilities (excluding waste disposal sites). • Public buildings including libraries, community centres and leisure centres (excluding those identified as in HV category and emergency shelters). • Places of worship. • Cemeteries. • Equipped play areas. • Renewable energy generation facilities (excluding hydro generation).
Water compatible development	Developments which are required to be located near water by virtue of their nature. Developments which are resilient to the effects of occasional flooding.
Water compatible development.	• Boatyards, marinas and essential works required at mooring basins.

	• Development associated with canals. • Flood defences and management infrastructure. • Open spaces (excluding equipped play areas). • Hydro renewable energy generation.
Mixed Use Schemes	• SMALLER DEVELOPMENTS: - including single dwellings should be considered a single vulnerability category. It is important that gardens, access paths and driveways of a residential dwelling should remain flood-free, therefore the whole area of a development should be considered highly vulnerable (HV). • LARGER DEVELOPMENTS A single vulnerability category may not be appropriate. May be appropriate to regard some parts of a development as HV and other parts as LV or Water compatible. Locating some types of sustainable drainage systems (SuDs) and open spaces in flood risk areas and using the land for appropriate flood alleviation can help make best use of a site. Making water an integral feature within a development can enhance the design and function of places.

4.15 Section 11 sets out the acceptability requirements that need to be fulfilled for development to proceed, which is effectively meeting the design standard and being tolerable in an extreme flood event. Development must not increase the risk or severity of flooding elsewhere, escape and evacuation routes must be present, and all potential and likely users must be safe during an extreme flood event. Occupiers must be made aware of any flood risk, i.e. caravan sites in TAN 15 Defended Zones must have warning notices to inform people of the risk. Flood and emergency plans and procedures as well as flood resistant and resilient design must be agreed and be in place.

4.16 The Section 11 design standard which sets out when categories must be flood free for river and see flood events is:

Vulnerability Category	River	Sea
Highly Vulnerable Development (HVD) excluding emergency services.	1% (1 in 100) + allowance for climate change for lifetime of development	0.5% (1 in 200) + allowance for climate change for lifetime of development
HVD - Local authority and emergency services, command centres and hubs for emergency services:	0.1% (1 in 1000) event Including an allowance for climate change.	0.1% (1 in 1000) event Including an allowance for climate change.

Less vulnerable development (LVD) Water compatible development that may be occupied by people	1% (1 in 100) + allowance for climate change for lifetime of development	0.5% (1 in 200) + allowance for climate change for lifetime of development

4.17 Development must not be permitted if the tolerable conditions set out in Section 11 are exceeded. Tolerable conditions in an extreme flood event (tolerances below which new development may be acceptable) are set out below with the maximum acceptable depth and velocity of flood water:

Types of new development	Depth (mm)	Velocity (metres / sec)
Highly Vulnerable Development (HVD)	600	0.15
Less vulnerable development Infrastructure associated with HVD e.g. car parks, access, paths and roads Water compatible development (limited to those built elements of development that may be occupied by people)	600	0.3

4.18 As stated above the location in where development can occur depends on the category of the development and in which flood zone the development is proposed. TAN 15 defines greenfield land as new development and brownfield land as redevelopment. These definitions apply both to the LDP and planning applications. In order for the development to be considered in zones other than Zone 1 the planning authority has to be satisfied that the scheme is justifiable, incorporates flood resilient design at site and property level and that the risk of flooding is tolerable. A flood consequences assessment (FCA) may be required for site allocations in the LDP as well as for planning applications. This is a summarised version of the guidance in TAN 15 in relation to where development can occur:

ZONE	**Greenfield -** New Development	**Brownfield -** Redevelopment
1	All types of development permitted. Change of use or conversion are acceptable in principle – informed by SFCA and locally specific flood risk planning policies (set out in LDP).	
TAN 15 Defended	Should not be built on unless they are replaced by suitable	Seek to avoid intensification of uses. Replacement buildings or

	alternative sites which clearly contribute to flood management enhancement. SFCA & understanding of all sources of flood risk required prior to allocating land in LDP. Detailed flood resilient design is required at site-level and property-level (section 13 (S.13)). **Planning applications not appropriate unless allocated in LDP.** LPA must be satisfied that the scheme is justifiable.	redevelopment should be broadly the same scale as existing uses. LDP to prioritise redevelopment in areas of lower flood risk. Planning applications for redevelopment should not reduce the area's ability to absorb flood water nor cause problems with flooding elsewhere. Incorporate flood resilient design at site and property level (S.13). HVD must meet tolerable conditions in section 11 (S.11). LPA must be satisfied that the scheme is justifiable.
Zone 2	LDP allocations that are necessary to implement the LDP strategy to regenerate or revitalise existing settlements or achieve key economic or environmental objectives as long as an SFCA has identified an acceptable level of risk. OR Allocations to address national security or energy security needs, mitigate the impacts of climate change, that are necessary to protect and promote public health. SFCA needed. Do not accompany with ancillary or non-essential developments. OR **Planning applications for HVD only where site allocated in LDP**. AND LPA must be satisfied that the scheme is justifiable. Flood resilient design required at site and property level (S.13). **FCA required**.	LDP allocations that are necessary to implement the LDP strategy to regenerate or revitalise existing settlements or achieve key economic or environmental objectives as long as an SFCA has identified an acceptable level of risk. OR Allocations to address national security or energy security needs, mitigate the impacts of climate change, that are necessary to protect and promote public health. SFCA needed. Do not accompany with ancillary or non-essential developments. OR Planning applications must assist and be consistent with LDP strategy to regenerate or achieve key economic or environmental objectives. Residential use must not occur at ground floor level. AND

	Must meet tolerable conditions in S.11.	LPA must be satisfied that the scheme is justifiable. Flood resilient design required at site and property level (S.13). **FCA required.** Must meet tolerable conditions in S.11.
Zone 3	**No allocations or new planning applications for HVD.** Welsh Ministers must be notified of a HVD planning application that an LPA intends to approve. This is the Notification Direction which then permits Welsh Ministers to call-in the application to determine it themselves. Allocations and planning applications for LVD only in exceptional circumstances. Exceptional circumstances are addressing national security or energy security needs, reasons of public health or to mitigate the impacts of climate change which have a clear locational need and cannot be located elsewhere. AND Must be satisfied - scheme is justifiable. Flood resilient design required at site and property level (S.13). FCA required. Must meet tolerable conditions in S.11.	Allocations and planning applications should be avoided. Only make / allow in exceptional circumstances where it is essential to the strategy of an LDP to regenerate an existing settlement or it is essential to achieve key economic or environmental objectives. Only where it addresses national security or energy security needs, or public health or it mitigates the impacts of climate change. No allocations for HVD unless there is a clear commitment that flood mitigation measures will be provided to protect those sites – set out in LDP infrastructure plan. Residential use must not occur at ground floor level. AND Must be satisfied - scheme is justifiable. Flood resilient design required at site and property level (S.13). FCA required. Must meet tolerable conditions in S.11.
All	Water compatible development.	
Surface Water and Small Watercourses	**FCA required** where development **outside of the flood zones 2 and 3 will impact** the course of surface water and/or excess water from ordinary watercourses. New development adjacent to Flood Zones 2 and 3 should be set back to allow for extreme flood events.	

Surface Water and Small Watercourses Zones 2 & 3	**FCA required** for any development **fully or partly** within the zones.

4.19 In conclusion the new TAN 15 is more restrictive in terms of where development is permitted than the 2004 TAN 15. It takes into account the fact that Wales has recognised defences in place to reduce the impact of flooding with the TAN 15 Defended Zones. It incorporates coastal erosion and climate change considerations as part of flood risk and places greater emphasis on Development Plans, the Strategic Flood Consequences Assessment and Infrastructure Plan. It also requires greater stakeholder engagement with the emergency services and marine authorities. It also places a significant duty on Lead Local Flood Risk and Local Planning Authorities to undertake an assessment of surface water and small watercourse and ensure that there is no local increased risk of flooding from such bodies.

4.20 Officers will now undertake the following steps: -

4.20.1 A similar report will be provided to planning committee on 14 May 2025.

4.20.2 The Replacement LDP strategy will be reviewed against the new TAN 15 to ensure that it remains sound.

4.20.3 The candidate sites shortlisted for the Replacement LDP will be reviewed to ascertain whether they comply with the requirements of the new TAN 15, particularly given the tightening of requirements in respect of the TAN 15 Defended Zones.