

To: Local Planning Authorities, PEDW

14/01/2022

Dear Sir/Madam

Flood Risk Advice

I am writing to you to confirm how we intend to respond to development management consultations, where flood risk is a material consideration. As you will be aware, on 23 November 2021, the Minister for Climate Change issued a [letter](#) to all Local Planning Authorities to inform them that the coming into force of the new TAN 15 (Technical Advice Note 15: Development, flooding and coastal erosion) was being suspended until 1 June 2023.

The Development Advice Map supporting the extant TAN15 is out of date, no updates have been made for over 2 years and no future updates are expected. The Flood Map for Planning (FMfP) therefore constitutes the best available spatial information we hold on flood risk and is being updated every 6 months.

On 15 December 2021, Welsh Government's Chief Planner & Deputy Director for Water, Flood and Coal Tip Safety jointly issued a further [letter](#) of clarification to Local Planning Authorities. The letter clarifies that the FMfP may be regarded as a material consideration. Therefore, as indicated in the letter, in order to ensure that our advice to you is based on the best available flood risk information we hold, we will be considering both the DAM and the FMfP as part of the consultation process and providing comments accordingly.

We will consider development proposals on a case-by-case basis but generally we will respond as follows:

- If a site is shown **not to be at risk of flooding on the DAM but it is shown to be at risk on the new FMfP**, our substantive response will be **'concerns'** and we will recommend an FCA is submitted in support of the planning application. Where these concerns are not appropriately addressed, we are likely to object to the development.
- If a site is shown **to be at risk of flooding on the DAM (i.e. within zone C) but not at risk on the new FMfP**, we would raise **'no objection'**. In such cases, we would highlight the fact that according to our best available information i.e. the FMfP, the site is not at risk of flooding (outside zone 2/3 rivers/sea / the recorded flood extents). For some sites, this may be a significant positive and help avoid time and money being wasted preparing

unnecessary FCAs (and potentially expensive hydraulic models). Of course, your Authority would still have the option to seek an FCA if you believed one was required, if for example the site was shown to be at risk of surface water flooding.

- If a site is shown **to be at risk on both the DAM (i.e. within zone C) and the FMfP, we will raise 'concerns' and recommend an FCA is submitted in support of the planning application.** Where our concerns are not appropriately addressed, we are likely to object to the development.
- In commenting on an FCA submitted in support of an application, we will provide **technical advice** on whether flood risk is manageable, in accordance with the extant acceptability criteria in TAN15 (2004). Where flood risk is not demonstrated to be manageable, we are likely to object to the development Taking account of a site's location in relation to the DAM and how this relates to the **policy considerations** will continue to be a matter for you as the decision maker.
- Where a proposal is for Highly Vulnerable Development in DAM Zone C2, contrary to TAN15, we will continue to seek confirmation from yourselves that you consider there are overriding reasons which require us to provide a technical assessment of an FCA submitted in support of the application.

The FMfP remains [publicly available](#) and as such, it would be helpful to use it as part of your routine constraints checking. In doing so, if you are able to determine a site's location in relation to the FMfP and advise applicants in accordance with the above approach, it could save valuable time and effort for all parties in the consultation process, whereby you would then only need to consult us on those sites where it is clear an FCA is needed to consider the risk from rivers / sea and one has already been provided.

Should you have any queries, please contact us.

Yours faithfully,



Rhian Jardine
Head of Development Planning and Marine

CC Neil Hemington Welsh Government
Steve Morgan Head of Place SE Wales
Michael Evans Head of Place SC Wales
Martyn Evans Head of Place SW Wales
Gavin Bown Head of Place Mid Wales
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