

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to:</b>	Planning, Regulatory & General Licensing Committee
<b>Report Subject:</b>	Deferral of new TAN15
<b>Report Author:</b>	Team Manager Development Management
<b>Directorate:</b>	Regeneration and Community Services
<b>Date of meeting:</b>	6 <sup>th</sup> January 2022

## **1.0 Purpose of Report**

- 1.1 The purpose of this report is to make Members aware that Welsh Government (WG) have made the decision that the date in which the new TAN 15 and Flood Map for Planning will come into force will be deferred until 1<sup>st</sup> June 2023. The existing TAN 15, published in 2004, and the Development Advice Map will continue in the meantime as the framework for assessing flood risk.

## **2.0 Background & Context**

- 2.1 Members will be aware that there are a number of Technical Advice Notes (TANs) prepared by WG to guide planning decisions in relation to technical matters.
- 2.2 TAN 15 refers to flood risk and its main purpose is to advise caution in respect of new development in areas at high risk of flooding by setting out a precautionary framework to guide planning decisions.
- 2.3 Members may be aware that Welsh Government (WG) were due to bring a new TAN 15 and Flood Map for Planning into force on December 1<sup>st</sup> 2021.

- 2.4 The new TAN and Flood Map has been prepared in response to the climate emergency, for which flooding has a significant impact upon in Wales.
- 2.5 The planning system is at the forefront of responding to the climate emergency and ensuring the well-being of current and future generations. The decisions local planning authorities make today will have a considerable impact on how we adapt to climate change now and in the future. The document aims to take Wales in the right direction, towards a more resilient society and economy. It is particularly important that we protect homes from flooding, when the devastating impact it can have on health and well-being is widely known.
- 2.6 The Flood Map for Planning represents a markedly different context for planning decisions compared to the existing framework which must inform the planning system. The new TAN has the potential to impact on a variety of development schemes at different stages of the planning process. These include flood defence schemes and projects that support town centres to recover from the Covid-19 pandemic.
- 2.7 However, following publication of the TAN and Flood Map for Planning on 28<sup>th</sup> September 2021, concern was raised that very limited consultation of the documents had been undertaken by WG and it did not include all key stakeholders. As a consequence, Local Authorities felt they were denied the right to comment on the details of the proposed Flood Map. The proposed location of medium and high risk zones on the Flood Map in many authorities would have resulted in a profound and potentially damaging effect on future development within these areas. This was particularly relevant to the regeneration of Wales' City Centres following the pandemic and called into question the recovery plans proposed by Welsh Government.
- 2.8 As a result, Councils in Wales called for the deferment of the implementation date of 1<sup>st</sup> December 2021 to allow Councils to further consider and assess the implications of the new TAN.
- 2.9 WG considered the request and confirmed that they would be suspending the coming into force of the new TAN and Flood Map until 1<sup>st</sup> June 2023. This was however caveated with the requirement that local planning authorities (LPA) use the

suspension to develop a more detailed understanding of the consequences of flooding, and that every LPA complete work to review, within the next 12 months, the Strategic Flood Consequences Assessments (SFCAs) for their area, either individually or on a regional basis.

- 2.10 Each local authority is also required to, working in partnership with other flood risk management authorities where appropriate to identify a pipeline of priority flood risk management schemes to address flood risk and vulnerability, as well as an assessment and specific assurances on the effective delivery of SuDS Approval Body (SAB) functions. This work must be informed by the Flood Map for Planning and a full range of climate change projections to provide a finer grain assessment of the consequences of flooding, identify appropriate mitigations and to refine the Flood Map through the map challenge process. The outcome of this work should be that every local authority considers options and identifies its preferred ways to adapt to increased flood risks caused by climate change. In addition to the potential need for flood management schemes, local authorities may need to consider relocation of infrastructure, site specific resilience measures or new green infrastructure.
- 2.11 Work is already underway on assessing the impact of the new TAN and Flood Maps on Blaenau Gwent. This work includes assessing our key development sites to see whether they will be affected, to what extent, what potential measures will need to be in place to address any impacts and whether we need to lodge a challenge to the Flood Map with WG. The Council already has a draft SFCA in progress as part of the work for the new LDP and is part of the regional SFCA being undertaken for South East Wales which is also assessing the implications of the new TAN. The Council will continue to work with relevant departments/bodies to get the required assessments completed within a timescale that will be specified by WG.

### **3.0 Recommendation**

- 3.1 Members note the content of this report.

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