



Llywodraeth Cymru
Welsh Government

OPEN CONSULTATION

Technical Advice Note (TAN)15: Development, flooding and coastal erosion - further amendments

This consultation is seeking your views on draft further revisions to planning guidance in relation to flooding and coastal erosion.

First published: 20 January 2023

Last updated: 20 January 2023

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).

Contents

Details

Overview

1. What is TAN 15?
2. What are we consulting on?
3. Consultation questions
4. What are the next steps following the consultation?

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).

Details

Number: WG46419

Date of issue: 23 January 2023

Action required: Responses by 17 April 2023

Overview

This consultation is seeking your views on draft further revisions to planning guidance in relation to flooding and coastal erosion. A previous consultation took place from 9 October 2019 to 17 January 2020 – details are available on our website:

Technical Advice Note 15: Development, flooding and coastal erosion

On its final publication the revised TAN 15 will replace Technical Advice Note 14, published in 1998 and Technical Advice Note 15, published in 2004.

How to respond

Please respond to this consultation by using the response form. Responses can be submitted in a number of ways:

Online: **Further amendments to Technical Advice Note (TAN) 15: Development, flooding and coastal erosion**

E-mail: planconsultations-j@gov.wales

Post:

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).

TAN 15 consultation,
Planning Policy Branch,
Welsh Government,
Cathays Park,
Cardiff CF10 3NQ

When responding please state whether you are responding in a personal capacity or are representing the views of an organisation.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

The revised TAN 15 is available as an appendix to this document. Both this and the previous consultation have been shaped by the draft National Strategy for Flood and Coastal Erosion Risk Management, available from our website:

[National Strategy for Flood and Coastal Erosion Risk Management](#) |

Contact details

For further information:

Planning Policy Branch
Planning Directorate
Welsh Government
Cathays Park
Cardiff CF10 3NQ

Email: planconsultations-j@gov.wales

This document is also available in Welsh:

Diwygiadau pellach i Nodyn Cyngor Technegol (TAN) 15: Datblygu, llifogydd ac erydu arfordirol

UK General Data Protection Regulation (UK GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the UK GDPR, please see contact details below:

Data Protection Officer:

Welsh Government
Cathays Park
CARDIFF
CF10 3NQ
e-mail: dataprotectionofficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).

Wilmslow
Cheshire SK9 5AF
Tel: 01625 545 745 or
0303 123 1113
Website: [Information Commissioner's Office](#)

1. What is TAN 15?

1.1 Technical Advice Notes (TANs) are land-use planning guidance documents issued by the Welsh Government to provide practical advice and guidance on areas of policy set out in [Planning Policy Wales](#). TAN 15 is focused on development and flood risk. The existing version was issued in 2004 and a review of its effectiveness was carried out in 2017. As result of the review, the Welsh Government prepared an updated document which was the subject of public consultation in October 2019 (available on our website: [Technical Advice Note 15: Development, flooding and coastal erosion](#)). As a result of issues raised in response to the previous consultation, some further specific changes to the revised TAN are proposed.

2. What are we consulting on?

2.1 We are seeking to introduce an increased element of flexibility in the TAN to allow for appropriate regeneration and redevelopment. A careful balance needs to be struck between the need to regenerate our towns and cities whilst recognising the threat posed by climate change. To be clear, we are not re-consulting on the fundamental principles of the TAN issued last year which seek to ensure that there should be no unacceptable risk to life resulting from new development. Nor is the fact that climate change projections must form part of our thinking in the future a subject of this consultation.

2.2 More detailed consideration is provided on the issues relating to the planned system and the justification for development. The TAN has been restructured in places but the principal changes which have been made are to be found in sections 7 and 10 of the document.

2.3 The proposed changes are included in the consultation version of TAN 15. These proposals are:

- A clearer recognition that appropriate redevelopment and regeneration activities are not incompatible with the overarching principles of the TAN which seeks to avoid placing highly vulnerable development in the highest risk areas;
- The introduction of more flexibility regarding less vulnerable development to facilitate the provision of necessary infrastructure;
- A recognition that redevelopment of existing sites in flood risk areas can take place if carefully planned and include appropriate mitigation measures;
- The requirement to produce Community Adaptation and Resilience Plans (CARPs) for any strategic regeneration scheme. CARPs would consider and identify an appropriate pipeline of flood defence measures to protect the area covered by the regeneration scheme as well as necessary mitigation measures;
- A revised section on the justification of development in flood risk areas which steers new development away from greenfield sites in flood risk areas; and
- Clarification that redevelopment resulting in highly vulnerable development can proceed with caution but will need to demonstrate clear flood risk resilience.

3. Consultation questions

Question1: Do you agree that the amended version of TAN 15 makes it

sufficiently clear that appropriate redevelopment and regeneration activities can be acceptable?

Question 2: The amended TAN seeks to ensure that climate change and flood risk are factored into planning decisions, and that decisions are taken in the knowledge of the associated risks. Do you agree that the TAN does this?

Question 3: In seeking to allow for continued regeneration the TAN requires local authorities to prepare Community Adaptation and Resilience Plans outlining how they intend to ensure that adequate flood defences are built and how other resilience measures will be incorporated. Do you agree with the need for such a requirement?

Question 4: Some infrastructure will be essential for economic, social or environmental wellbeing. A new section on essential infrastructure has been included in the revised TAN. Do you agree that this is necessary and that it is sufficiently clear?

Question 5: We would like to know your views on the effects that the revised TAN 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.

- What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?
- Please also explain how you believe the proposed amendments to the TAN could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and
- no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).

Question 6: We have asked a number of specific questions. Are there any other related issues which we have not specifically addressed?

4. What are the next steps following the consultation?

4.1 All the responses to this consultation will be analysed and considered and the Welsh Government will subsequently make a decision about whether or not to implement the proposed changes to TAN.

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/technical-advice-note-tan15-development-flooding-and-coastal-erosion-further-amendments-html> for the latest version.

Get [information on copyright](#).