

4 March 2015

To Chief Planning Officers

Annwyl Syr/Madam / Dear Sir/Madam

TAN15: Development and Flood Risk

The purpose of Natural Resources Wales (NRW) is to ensure that the environment and natural resources of Wales are sustainably maintained, sustainably enhanced, and sustainably used, now and in the future.

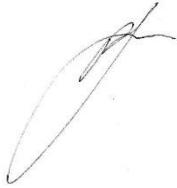
Our role in the planning system includes providing technical advice on the level of flood risk, its likely impacts upon proposed development and how that risk can be mitigated or avoided completely. We seek to ensure that the advice we provide is evidence-based, timely, unambiguous and consistent so that you, the determining authority understand and can appropriately consider flooding consequences during development plan preparation, and when determining Development Management consultations.

As you are aware, Welsh Government wrote a letter on 9th January 2014 to all Chief Planning Officers in Wales to clarify national planning policy in respect of development and flood risk (CPO letter). Among other matters, the CPO letter sets out flood consequence assessment requirements for strategic plan-making and individual planning applications, including the need to take account of the potential impact of climate change including a flood event which has a 0.1% (1 in 1000 year) probability of occurrence. It also sets out the role of Local Planning Authorities in identifying how a development proposal meets the tests set out in paragraph 6.2 of Technical Advice Note 15 (TAN15): Development and Flood Risk.

Annex A to this letter sets out what advice we will provide to developers and your Authority to ensure appropriate consideration is given to the potential impact of climate change on flood risk and development in line with requirements detailed in TAN15, and the 9th January 2014 CPO letter.

We hope that the information will be of assistance and we would be happy to meet to discuss any matter raised in this letter.

Yn gywir / Yours faithfully



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Annex A

Justifying Development in flood risk areas

Section 6 of TAN15 sets out the tests that should be considered in order to justify the location of development within a flood risk area. The CPO letter affirms that highly vulnerable development (e.g. housing) should not be permitted or allocated in Zone C2. The CPO letter also states that your authority should be able to identify how a proposed development meets tests i, ii, and iii of Paragraph 6.2 of TAN15 *prior* to consulting NRW on any detailed FCA necessary to demonstrate test iv.

We would therefore expect your Authority to have undertaken this assessment before consulting us for detailed comments on any FCA submitted with an application. We would welcome, written confirmation from your Authority on whether you consider each development proposal in Zone C that you consult us on meets tests i or ii, and iii.

As part of any pre-application advice for developments located within a flood risk area, we will advise the developer to consult your Authority, prior to submitting a formal application to establish how the proposal meets justification tests i, ii, and iii.

Lifetime of Development

The period for which climate change has been considered should be specified in the Flood Consequence Assessment (FCA). This is commonly known as the 'lifetime of development'.

The 9th January 2014 CPO letter refers to our recommendation that the lifetime of development for residential development is 100 years, and for other development it is considered to be 75 years.

We therefore advise and expect, that a FCA considers the potential impact of climate change for the appropriate period, as set out in the CPO letter. However, we recognise that there may be circumstances where the lifetime of development considered in the FCA is shorter than the values set out in the CPO letter e.g. planning applications solely for temporary development.

For such applications we expect your Authority to confirm to us in writing that you are satisfied a shorter lifetime of development is appropriate and commensurate to the nature and scale of the proposal. We will review such proposals on a case by case basis where the agreed timescales are reflected in the supporting FCA.

Application of Climate Change at 0.1% (1 in 1000 year) extreme flood event

Development proposals within Zone C of TAN15's Development Advice Maps (DAM) should be supported by an assessment of the risks and consequences of flooding over the lifetime of development. The flood consequences assessment (FCA) should satisfy the requirements of Section 7 and Appendix 1 of TAN15.

The CPO letter states that it will be necessary to take account of the potential impact of climate change over the lifetime of development including a flood event which has a 0.1% probability of occurrence.

Fluvial Flooding

Development proposals at risk of fluvial flooding and shown to be within Zone C of TAN15's DAM should be supported by a FCA which has considered an allowance for climate change on both the 1% (1 in 100) and 0.1% (1 in 1000) probability fluvial events. However, there is a significant level of uncertainty associated with calculating the impact of climate change on fluvial systems for extreme flood events. We therefore consider the requirements set out below to be appropriate to enable developers to assess predicted climate change effects upon the nature of fluvial flood risk over the lifetime of development in line with TAN15 requirements. Please note that this decision may be reviewed in future as a result of improvements to climate change predictions and flood modelling and mapping. We will obviously inform all LPAs and the Welsh Government if we consider any changes to our advice.

To satisfy the requirements set out in TAN15 and the CPO letter, we will advise that a FCA must assess a fluvial flood event which has a:

- 1% (or 1 in 100 chance) probability of occurrence in any year, plus an allowance for climate change; and
- 0.1% (or 1 in 1000 chance) probability of occurrence in any year.

Tidal Flooding

Development proposals at risk of tidal flooding and shown to be within Zone C of TAN15's DAM should be supported by a FCA which has considered an allowance for climate change on both the 0.5% (1 in 200) and 0.1% (1 in 1000) probability tidal events. The application of climate change on the 0.1% extreme tidal flood is considered appropriate to meet TAN15 requirements and reflects the greater degree of confidence in the science-base used to calculate predictions for sea level rise.

Developers may wish to contact us directly for further assistance on the scope of the assessment and /or technical guidance on how climate change should be considered for the 0.1% probability event.

Strategic Flood Consequence Assessment (SFCA)

For the reasons outlined above, and to satisfy the requirements set out in TAN15 and the CPO letter, we will advise that a SFCA should assess;

a **fluvial** flood event which has a:

- 1% (or 1 in 100 chance) probability of occurrence in any year, plus an allowance for climate change; and
- 0.1% (or 1 in 1000 chance) probability of occurrence in any year.

a **tidal** flood event which has a:

- 0.5% (or 1 in 200 chance) probability of occurrence in any year, plus an allowance for climate change; and

- 0.1% (or 1 in 1000 chance) probability of occurrence in any year, plus an allowance for climate change.

There may be circumstances where strategic forward planning, such as the preparation of a SFCA or major development/regeneration initiative, commenced or was completed prior to the publication of the CPO letter. As such, the requirement to include an allowance for climate change on the 0.1% tidal event may not have been factored into that strategic work. In such circumstances, we would advise you to seek confirmation from the Welsh Government on the appropriate way in which to address this matter on a case by case basis.

Where a SFCA has not reached an advanced stage and the LDP has yet to reach deposit stage, we will advise that the SFCA should be updated to include the addition of an allowance for climate for the 0.1% tidal event.

In addition, we would advise that an allowance for climate change should be applied for the 0.1% tidal event when SFCAs are revised as part of any review of the LDP.

Where we are consulted on a future proposed development located within a site allocated in the LDP and which is shown to be at risk from tidal flooding, we will advise that an allowance for climate change should be applied for the 0.1% tidal event. We would therefore encourage you to highlight this to developers during pre-application/on-going discussions, so that they can take this into account during their decision-making on the layout and design of any proposed development and when preparing any site specific FCA. All parties should be aware that this may result in the subsequent FCA demonstrating a flood risk that was not evident at the SFCA stage if the SFCA did not consider an allowance for climate change for the 0.1% tidal event.