



ABI response to Welsh Government Consultation on Technical Advice Note 15

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

Online: <https://gov.wales/consultations>

Email: planningpolicy@gov.wales

Post: 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.

Closing date for responses: 17 January 2020

Your name:	Jonathan Purvis
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Organisation (if applicable):	Association of British Insurers

About the Association of British Insurers

The Association of British Insurers (ABI) is the voice of the UK's world leading insurance and long-term savings industry. A productive, inclusive and thriving sector, we are an industry that provides peace of mind to households and businesses across the UK and powers the growth of local and regional economies by enabling trade, risk taking, investment and innovation.

The UK insurance industry is the largest in Europe and the fourth largest in the world. It is an essential part of the UK's economic strength, managing investments of over £1.8

trillion and paying nearly £12bn in taxes to the Government. It employs around 300,000 individuals, of which around a third are employed directly by providers with the remainder in auxiliary services such as broking.

Question 1 – Evolving from a precautionary framework to a risk-based approach

A key principle of the revised TAN 15 is to recognise different degrees of flood risk (see section 4). A new Wales Flood Map will replace the Development Advice Map and will distinguish between high/medium risk and low risk, with policies on development reflective of the degree of risk. Flood zones on the new Wales Flood Map will incorporate climate change allowances.

To what extent do you agree or disagree with this change?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please set out your reasons

The ABI welcomes the decision to recognise different degrees of flood risk within the new Wales Flood Map. These will help provide more clarity, awareness and understanding of flood risk to developers. There is a worryingly low awareness of many who live and work in areas at flood risk. Therefore, any activity to increase the awareness of the impacts of climate change and increasing flood risk for those communities is welcome.

However, we note that the new flood map is only currently available to those planning/undertaking development or construction projects. The insurance industry believes that it is vital that both new and existing developments are built and managed in an appropriate and sustainable way that enables continued access to affordable home insurance. To ensure this, detailed information on any factors of property being bought or sold which may impact home insurance, should be shared early in the process.

We believe that flood risk information should be provided within the sales brochure when a property is advertised for sale. The UK Government should consider mandating this requirement to ensure that developers, estate agents and property search websites automatically provide traffic-light style information indicating flood risk for the locations of the homes they list, and that new build properties include flood risk and any measures to reduce that risk to the home buyer. This can be completed using freely available flood risk information and therefore would not cause an increase in cost.

The ABI has campaigned since September 2016 for those looking to buy a home to be given more upfront information about a property's flood risk. We surveyed over 2,000 adults in the UK and discovered that nine out of ten people agreed that flood

risk information should be included on the material about properties for sale. The survey found that homebuyers were more likely to have looked into the ease of parking in the area (33%) than checked whether their house could be at risk from flooding (28%). Flood risk information should also be provided in the marketing for new build properties. Research by the ABI of developers' sales material in 50 of the highest flood risk areas in England and Wales, many of which have been hit by serious flooding in recent years, found that none included any warnings about them being at flood risk.

Question 2 – Roles and responsibilities

The revised TAN has sought to clarify the main roles and responsibilities of key organisations and agents in the planning system in respect of flooding and coastal erosion.

To what extent do you agree or disagree that the TAN offers clarity?

Clear in all chapters	Clear in some chapters	Unclear in most or all chapters	<i>Don't know</i>	<i>No opinion</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please highlight where you think further detail and clarity can be added:

The ABI welcomes the increased clarity on the main roles and responsibilities of key organisation and agents in the planning system. The revised TAN does offer increased clarity and the main roles/responsibilities of key organisations and agents are clear in all chapters. The clearer responsibilities, and need to complete a Development Plan and Strategic Flood Consequence Assessment, will help ensure that developers are held to account for inappropriate builds rather than the homeowner. Improved accountability of those responsible for planning decisions in flood risk areas would provide greater reassurance that inappropriate building permissions are not being granted.

Currently Natural Resources Wales (NRW) can object to a planning proposal, but there is no responsibility for local authorities to report whether that feedback has been taken into account, such as requiring the planning application to be amended to improve measures to protect against flood risk to fulfil the NRW's concerns. The ABI supports a clearer, more transparent process, which would provide reassurance to insurers and local communities who are often concerned about the potential impacts of new developments. A responsibility to report publicly on planning decisions in a clear and transparent way, especially when decisions have been taken against NRW advice, is required. This would also help empower consumers, and their legal representatives, in their decisions on whether to purchase a particular property.

Question 3 – Development categories

The development categories (section 6, figure 2) have been revised and updated, with some new development types identified (e.g. renewable energy) and some development types moving into different categories (e.g. public buildings, open space).

To what extent do you agree or disagree with the development categories?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please set out your reasons

The ABI has no opinion on the development categories. Insurance companies take into a variety of factors when deciding the level of risk a property poses and whether it is vulnerable to flooding. This includes the location, age, construction materials and use of the property as well as many others. As such, these are commercial decisions that differ between individual insurance companies, so we are unable to comment on this question.

Question 4 – Strategic Flood Consequences Assessments

The revised TAN supports the plan-led system by encouraging planning authorities to build comprehensive consideration of flooding and coastal erosion into Development Plans, using evidence from Strategic Flood Consequences Assessments (section 7).

To what extent do you agree or disagree with this approach?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please set out your reasons

The ABI agrees with the approach set out in the revised TAN. Building consideration of flooding into development plans and undertaking a Strategic Flood Consequences Assessment into this will mean a more comprehensive and clear understanding of flood risk and ensure no inappropriate builds will take place in flood risk areas.

Question 5 – Major regeneration proposals

Section 7.16 proposes new guidance in relation to major regeneration of communities located in areas at risk.

To what extent do you agree or disagree with this approach?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please set out your reasons

The ABI agrees with the approach and welcomes the acknowledgement of the need for ongoing maintenance and investment in flood defence infrastructure to protect vulnerable communities.

Protection from flooding in the UK is often too short term and reactive– we believe that Governments need to ensure a longer-term and more proactive approach to the future risks. As set out by the research delivered by RMS and commissioned by Flood Re, £1.1 billion a year of flood damage is being prevented by the UK's current network of river barriers and defences. Despite the lack of severe flooding in the last few years, any long-term government spending allocations need to reflect the importance of ongoing funding for flood management.

Providing a commitment to long term expenditure on flood risk management was also part of the memorandum of understanding between the UK Government and the ABI establishing Flood Re. This commitment should continue given the success of Flood Re in helping 19,820 homeowners in Wales access affordable insurance.

The ABI notes that the Welsh Government has already invested £320m since 2011 to manage flood risk, but supports a long-term commitment from the Welsh Government for funding to increase flood risk management in Wales. This is particularly important in light of inappropriate development in flood risk areas, climate change scenarios and population growth. There must be a long-term Welsh Government commitment to increase both capital and revenue funding to protect communities from the growing threat of flooding in line with the investment scenarios that have been outlined by the UK Government's advisors.

Question 6 – Surface water flooding

The revised TAN gives greater prominence and more guidance on considering surface water flooding in the planning system. It will be for planning authorities, with input from Lead Local Flood Authorities, to determine locally whether local planning policies on surface water flooding are required.

To what extent do you agree or disagree with this approach?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please set out your reasons

Please set out your reasons

The ABI agrees with the guidance. As mentioned in our responses to Questions 2 & 4, additional guidance should help to ensure that no inappropriate development takes place in high flood risk areas. It provides clearer and more robust guidance to developers and local authorities about which kind of developments are acceptable and enable them to make an informed and appropriate decision concerning new developments.

Question 9 – Resilient design and flood defences

The shift towards a risk-based approach is complemented by additional guidance on making communities and properties resilient to flooding (section 13). There is also updated guidance on the considerations when new or improved flood defences are proposed.

To what extent do you agree or disagree with this approach?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please set out your reasons

The ABI agrees with the shift towards a risk-based approach and additional guidance on making communities more flood resilient.

Flood defences cannot protect every single property from flooding. Individual property owners also need to do more to make their homes and businesses more flood resilient and understand the benefits of being able to get their lives back to normal quicker next time it floods. This can involve using measures to help keep water out of a building or using materials that allow a property to be easily restored after a flood. Government funded grants to support the installation of these measures and work on certifying products and those who install them should continue. The ABI and our members are supportive of effective property level resilience measures. We have worked closely with stakeholders through the 'Defra Property Level Roundtable' to improve the take up of resistance and resilience measures in England and the Scottish Government's Property Flood Resilience Development Group to help improve awareness of the benefits of these measures in reducing damage to a property. The ABI has been calling for a comprehensive evidence base of the effectiveness of these measures, which may in the future help insurers. It may be useful for Welsh Government to engage in the findings and lessons learned from these projects to ensure that property level resilience measures are installed in properties in Wales as well.

During the claims process, most insurers will discuss options for resilient repair with flooded customers. If the work is cost-neutral (i.e. it can be built into the cost of reinstatement) and the customer agrees, then this can usually be carried out as part

of the repair process. Any additional costs, known as 'betterment', would usually need to be funded by the customer, or by a government grant, if available.

The important factors for insurers considering property level protection measures are:

- confidence in reducing the risk of damage;
- competency of installation;
- and ensuring the measures are properly maintained where required.

We have worked with the Construction Industry Research and Information Association (CIRIA), as part of the Defra Property Level Resilience Roundtable, to help develop the 'code of practice' which should help to improve standards, certification and installation of R&R measures. CIRIA have confirmed that this is due for publication in early 2020.

Insurers will seek to take account of any measures which can be shown to have reduced the flood risk to a property, including measures to make properties more resistant to flooding. Many insurers will already use a range of sophisticated data sources and technology to assess the risk of flooding when issuing quotes. An increasing number of insurers are taking a more detailed view of whether a property may flood – down to property-level assessment of risk from fluvial flooding or other types of flooding such as from surface water – which will continue as modelling and mapping improves.

For insurers to be able to increasingly take into account property level protection measures these need to be aggregated and, in a format, that the systems used by the insurers can readily digest and use. There are also a significant number of barriers to increasing the uptake of individual property level protection measures for those affected. These range from behavioural issues related to flood victims not wanting these measures in their property, the difficulty in ensuring the measures are holistic and protect the whole property (e.g. there is no point in installing flood gates if the water is going to flood the property by coming up through the toilet), and the fact that individual property construction and flood source is specific to each property.

Question 10: We would like to know your views on the effects that revisions to TAN 15 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?

N/A

- Please also explain how you believe the proposed document 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.

N/A

Question 11: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

ABI Buildings Blueprint: Reducing flood risk

- **Protect communities by spending more on building and maintaining flood defences.**

There needs to be a long-term UK Government commitment to increase both capital and revenue (maintenance) funding to protect communities from the growing threat of flooding.

- **Protect homes and businesses by increasing the use of flood resilience measures within properties.**

Flood defences cannot protect every single property from flooding; individual property owners also need to do more to make their homes and businesses more flood resilient, and understand the benefits of being able to get their lives back to normal quicker next time it floods. This can involve using products to help keep water out of a building, or using materials which allow a property to be easily restored after a flood. Grants to support the installation of these measures and work on certifying products and those who install them need to continue.

- **Prevent increased flood risk by including sustainable drainage systems in all new developments.**

Flooding isn't only caused by rivers and the sea – an increasing amount of flooding problems are caused by excess surface water. Sustainable drainage methods include areas of grass and plants, permeable paving and other landscaping methods. They help absorb heavy rainfall and reduce flood risk, as well as improving water quality and benefiting local wildlife. We are pleased to see that these are now a requirement for all new developments in Wales.

- **Increase understanding of flood risk by giving house hunters up-front information.**

Despite one in six homes in Wales estimated to be at risk of flooding, fewer than one in three people researched the flood risk of the property before buying their current home. The ABI recommends the introduction of a traffic-light style label on all property adverts, similar to energy ratings, to alert people to the need to consider flood risk at an early stage in the home-buying process.

- **Improve planning processes to ensure no inappropriate developments are built in high flood risk areas.**

Although there is a clear need for more affordable homes, it is short-sighted to build these in areas of high flood risk or where they may cause flooding problems for neighbouring properties. New developments should not go ahead against National Resource Wales advice.

The full Buildings Blueprint can be viewed in the link below:
<https://www.abi.org.uk/products-and-issues/topics-and-issues/buildings-blueprint/>



Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick the box, right