

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

The Town and Country Planning (Development Management Procedure)
(Wales) Order 2015 (as amended)

HEAD OF ENGINEERING & TRANSPORT

LLFA – LOCAL LEAD FLOOD AUTHORITY OBSERVATIONS

PLANNING APPLICATION NO: 2/3/25/0646/00RECON 28.04.26
APPLICANT: Mr Neal Hunter
LOCATION: Former Briton Ferry Health Centre, Hunter Street,
Briton Ferry, Neath Port Talbot, SA11 2SF
PROPOSAL: SECTION 73 APPLICATION (VARIATION OF
CONDITION) TO AMEND THE APPROVED
DEVELOPMENT FOR (I) A REDUCTION IN THE
NUMBER OF BEDROOMS AT THE CARE HOME
FROM 40 TO 24; (II) A REDUCTION TO THE
FOOTPRINT OF THE BUILDING; (III) CHANGES
TO THE ROOF FORM AND
ELEVATIONS/MATERIALS AND (IV) A REVISED
LANDSCAPING, PLANTING AND BOUNDARY
TREATMENT SCHEME WITH THE VARIATION OF
PLANNING CONDITION 2 (APPROVED PLANS), 6
(HARD LANDSCAPING AND PLANTING
SCHEME), 8 (DEMOLITION AND
CONSTRUCTION METHOD STATEMENT), 9
(OBSCURE GLAZING) AND 12 (ENCLOSURES)
OF PLANNING PERMISSION P2023/0767
GRANTED 23.08.2024.

The Highway Authority, in responding to the above application, provides the following substantive response:

No comment	☐
No objection (subject to any specified conditions below)	☐
Concerns have been identified (see below for how those concerns can be addressed by the applicant)	☒
Objection – on the grounds set out below	☐

MY LLFA – LOCAL LEAD FLOOD AUTHORITY OBSERVATIONS ON THIS PROPOSAL ARE AS FOLLOWS:-

Planning Response – Flood Risk, TAN 15 and Section 73 Assessment Status of the Application

The application is submitted under Section 73 of the Town and Country Planning Act 1990 to vary conditions attached to planning permission P2023/0767 (granted 23 August 2024).

Whilst the original permission predates the updated TAN 15, the Section 73 application represents a new planning determination and has therefore been assessed against the current TAN 15 (2025).

The extant consent is a material consideration of significant weight, establishing the principle of development. However:

The LLFA must be satisfied that the development, as proposed to be varied, complies with the current TAN 15 requirements, particularly in respect of flood consequences and vulnerability.

Conflict with TAN 15 – Highly Vulnerable Development

A residential care home is classified as highly vulnerable development, and TAN 15 places strong restrictions on such development in areas at risk of flooding, particularly where:

- flood consequences cannot be demonstrated to be acceptable; and
- risks to life, safe access, and emergency response are not adequately addressed.

TAN 15 requires that:

- development must be safe for its lifetime,
- consequences of flooding must be acceptable for the vulnerability of occupants, and
- development must not increase flood risk elsewhere.

Assessment of the Current Submission:

The LLFA is not currently satisfied that the proposal complies with TAN 15, for the following reasons:

Inadequate Assessment of Flood Consequences

The FCA does not adequately address key indicators required by TAN 15, including:

- flood depth, velocity and hazard rating;
- duration and rate of onset;
- interaction with combined sewer flooding;
- cumulative impact on surrounding land.

These matters are fundamental to determining whether consequences are acceptable for highly vulnerable occupants.

Safe Access and Egress

Insufficient evidence has been provided to demonstrate that:

- safe dry access/egress routes are available during the design flood event; or
- access for emergency services can be maintained.

This is a critical requirement under TAN 15 where vulnerability is high.

Increased Flood Risk Elsewhere

The FCA acknowledges that raising ground levels is likely to:

- displace floodwater; and
- increase flood depths in surrounding areas.

In the absence of quantified mitigation and compensatory storage, this conflicts with the requirement that development must not increase flood risk elsewhere.

Emergency Planning and Vulnerable Occupants

The reliance on safe refuge within the building is not considered sufficient justification where:

- external access is compromised; and
- evacuation of vulnerable occupants may not be achievable.

Conclusion

Based on the above, the LLFA considers that:

The proposal, in its current form, fails to demonstrate that the consequences of flooding would be acceptable for a highly vulnerable development, contrary to TAN 15 (2025).

Whilst the fallback position is acknowledged, this does not outweigh:

- the heightened policy requirements under TAN 15, and
- the identified deficiencies in the current submission.

Requirements to Justify Planning Consent:

Notwithstanding the above concerns, the LLFA considers that there remains a potential pathway to compliance, subject to the submission of robust, additional information.

To address the LLFA concerns and satisfy TAN 15, the following would be required:

Revised Flood Consequence Assessment

A comprehensive, updated FCA including:

- detailed hydraulic modelling of flood depth, velocity and hazard;
- assessment of combined sewer flooding and surcharging impacts;
- consideration of climate change allowances;
- full assessment of flood duration and rate of onset;
- assessment of impacts on surrounding land and properties.

Safe Access and Egress Assessment

Demonstration (through modelling) that safe routes exist for:

- pedestrians and emergency services;
- evacuation during extreme events.

Where this cannot be achieved, clear justification would be required as to how risk to life is acceptably managed.

Compensatory Flood Storage and Level Design

Detailed proposals demonstrating:

- no net loss of floodplain storage;
- no increase in flood risk elsewhere (level-for-level, volume for volume compensation);
- justification for any proposed ground raising.

Emergency Planning Strategy

A site-specific Flood Emergency Management Plan, including:

- evacuation procedures for vulnerable residents;
- staffing contingencies;
- trigger levels and warning systems;
- coordination with emergency services.

Status of SAB Application

- A SAB preliminary application was submitted under SP2025/0030
- A generally positive response was returned subject to further information being submitted.
- The applicant is currently in discussions with DCWW who have raised concerns with the proposal under their pre-app service which needs to be resolved prior to a full application being submitted.

NOTES TO APPLICANT

N. Waters

SIGNED: DATE: 27/05/2026
pp HEAD OF ENGINEERING & TRANSPORT

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