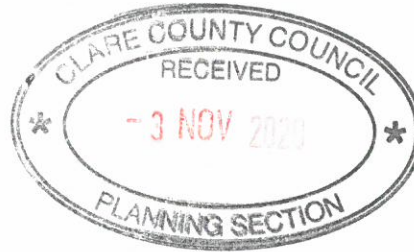




Development Plan Review,
Planning Department,
Clare County Council,
New Road,
Ennis,
Co Clare.
V95DXP2

03/11/2020



RE: Issues Paper Clare County Council Draft Development Plan 2022 - 2028

Dear Sir/Madam,

The OPW, as lead agency for flood risk management in Ireland, welcomes the opportunity to comment on the Issues Paper in the preparation of the Clare County Council Draft Development Plan for the period 2022 - 2028.

Flood Risk Management (FRM) – General Guidance

Reference should be made to the Guidelines on the Planning System and Flood Risk Management (DHPLG/OPW, Nov 2009) issued under Section 28 of the Planning Acts, here after referred to as the 'Guidelines', and associated Circulars and Technical Appendices, to ensure that the key principles of flood risk management and sustainable planning are adopted. The sequential approach to managing flood risk within the planning system should be considered at the earliest stage, and where uncertainty exists the precautionary approach should be taken or further more detailed assessment carried out before decisions are made. The Guidelines set out a three Stage Flood Risk Assessment process for the Planning Authorities to identify whether flood risk may exist and the degree to which it is an issue and then what assessment to a scale proportionate to the risk should then be carried out. The following is an overview of this three-stage process;

Stage 1 Flood risk identification – To identify whether there may be any flooding or surface water management issues related to a plan area or proposed development site that may warrant further investigation.

Stage 2 Initial flood risk assessment – To confirm sources of flooding that may affect a plan area or proposed development site, to appraise the adequacy of existing information and to scope the extent of the risk of flooding which may involve preparing indicative Flood Zone maps. Where hydraulic models exist the potential impact of a development on flooding elsewhere and of the scope of possible mitigation measures can be assessed. In addition, the requirements of the detailed assessment should be scoped.

Stage 3 Detailed flood risk assessment – To assess flood risk issues in sufficient detail to prepare Flood Zone maps based on a quantitative appraisal of potential flood



risks to a proposed or existing development or land to be zoned, and to identify potential impacts on flood risk elsewhere and of the effectiveness of any proposed mitigation measures.

In the preparation of the Draft Plan, the OPW recommends that particular attention is paid to the following sections of the Guidelines;

- Chapter 3 – The Planning Principles,
- Chapter 3 – The Sequential Approach, and definitions of Appropriate Development,
- Chapters 3 and 4 – The Plan-making Justification Test where it is intended to zone or otherwise designate land where there is a moderate or high probability of flooding, noting that the application of the Test should be supported by analysis to an appropriate level of detail.

The OPW advises that clear commitments and strategic objectives regarding flood risk and the principles of the Guidelines are included in the Draft Plan, and that persons with the relevant expertise review any flood risk assessments submitted to Clare County Council.

Specific Flood Risk Management Issues for Consideration

The Flood Risk Management Plans and Flood Maps

The OPW, in conjunction with Clare County Council and other County and City Councils, undertook the National Catchment-based Flood Risk Assessment and Management (CFRAM) Programme, through which Flood Risk Management Plans (FRMPs) and flood maps were prepared. The FRMPs were adopted by the Minister for Public Expenditure and Reform under the Floods Directive as transposed and form part of the Ireland 2040 National Development Plan. The implementation of these Plans is an objective of the Regional Spatial and Economic Strategies. It is noted that Clare County Council adopted the FRMPs relevant to its administrative area. The CFRAM Programme included analysis of flood risk in Bunratty, Ennis, Kilkee, Killaloe, Kilrush, O'Briens Bridge & Montpellier, Quin, Shannon, Shannon Airport, Sixmilebridge, and Springfield/Cloonlara. In this context:

- The OPW requests that Clare County Council has full regard in the preparation of its Development Plan 2022 - 2028 to the ongoing design, planning and implementation of flood relief schemes in Bunratty, Ennis (Lower), Ennis (South), Kilkee, Killaloe, Kilrush, Shannon and Springfield/Cloonlara, to ensure that zoning or development proposals support and do not impede or prevent the progression of these measures, and that a specific objective in this regard is included in the Draft Development Plan
- The OPW has a statutory duty to maintain flood relief schemes completed under the Arterial Drainage Acts, 1945-1995, including the schemes in Ennis (Upper) and Sixmilebridge. The local authority will also need to maintain any flood relief schemes implemented under its powers. The OPW requests that Clare County Council has full regard in the preparation of its Development Plan 2022 - 2028 to the protection, and the need for maintenance, of these schemes. Clare County Council might also consider including a register of key flood risk infrastructure in the County



Development Plan where it would not otherwise be readily identified or protected from interference or removal.

- The flood maps, including those for potential future scenarios taking account of the possible impacts of climate change, are available to view on the OPW portal, www.floodinfo.ie, and may be obtained in GIS format from the OPW Data Management Section via email (flood_data@opw.ie).

Consideration of Climate Change Impacts

The potential impacts of climate change include increased rainfall intensities, increased fluvial flood flows and rising sea levels. In line with the Guidelines, while Flood Zones are defined on the basis of current flood risk, planning authorities need to consider such impacts in the preparation of plans, such as by avoiding development in areas potentially prone to flooding in the future, providing space for future flood defences, specifying minimum floor levels and setting specific development management objectives. It should be noted that the flood maps prepared under the CFRAM Programme (see above) include maps for two potential future scenarios taking account of different degrees of climate impact.

Coastal Change

While not specifically covered by the Guidelines, planning authorities should have regard to areas that may be at risk or vulnerable to coastal erosion or coastal change, including change associated with climate change (e.g. sea level rise, increased storm frequency, accelerated rates of coastal erosion, etc). A precautionary approach should be taken in this regard where analysis of potential future coastal change, including potential climate effects, has not yet been carried out.

It should be noted that the Government has established an Inter-Departmental Group on Coastal Change Management to scope out an approach for the development of a national coordinated and integrated strategy to manage the projected impact of coastal change to our coastal communities, economies, heritage, culture and environment. The Inter-Departmental Group is jointly chaired by the Department of Housing, Planning and Local Government and the OPW and will bring forward options and recommendations for the Government to consider as soon as possible.

Arterial Drainage Schemes and Drainage Districts

Consideration should be given in zoning land for development to ensure that access requirements are preserved for the maintenance of Arterial Drainage Schemes and Drainage Districts. Applications for development on land identified as benefiting land may be prone to flooding, and as such site-specific flood risk assessments may be required in these areas. The location of Arterial Drainage Schemes and Drainage Districts may be viewed on www.floodinfo.ie.

Land Protected by Agricultural Embankments

It should be noted that the Flood Zones are defined ignoring the presence of flood defences (Section 2.25 of the Guidelines). This is particularly important in the context of land that benefits from some degree of protection from embankments that were constructed to protect



agricultural lands, i.e., as part of an Arterial Drainage Scheme or Drainage District or the so-called Land Commission Embankments (see www.floodinfo.ie). In such areas, it is strongly recommended that land should only be zoned for development in accordance with the definition of appropriate development as set out in the Guidelines.

Impacts on Other Areas

While a particular development may not be prone to flood risk itself, it can increase flooding up- or down-stream, due to increased runoff from additional drainage or increased paved areas or due to loss of storage. In line with the Guidelines, proposed new development needs to avoid increasing such flood risk elsewhere.

Natural Water Retention Measures

The OPW advises that the preparation of development plans should take account of the opportunities for natural water retention measures to reduce runoff and provide other benefits such as to water quality, biodiversity, etc. This can include in areas around existing developments, as well as within existing and proposed development in the form of Sustainable Urban Drainage Systems (SuDS).

If further information or input is required, please do not hesitate to contact the OPW.

Yours sincerely,

pp Mark Adamson
Flood Relief and Risk Management Division