



Forward Planning,  
Wicklow County Council,  
Station Road,  
Wicklow Town,  
A67 FW96

09/08/2021

**RE: Draft Wicklow County Development Plan 2021-2027**

Dear Sir/Madam,

The OPW, as lead agency for flood risk management in Ireland, welcomes the opportunity to comment on the Draft Wicklow County Development Plan 2021-2027.

The OPW welcomes the acknowledgement of the Guidelines on the Planning System and Flood Risk Management (DECLG/OPW, 2009), hereafter referred to as the 'Guidelines' and the proposed measures set out in the Flood Risk Management Plans (FRMPs) based on the work undertaken for the CFRAM Programme, and the preparation of a Strategic Flood Risk assessment (SFRA).

In particular the OPW welcomes:

- CPO 14.01 supporting the implementation of recommendations in the OPW Flood Risk Management Plans
- CPO 14.06 To implement the 'Guidelines on the Planning System and Flood Risk Management' (DoEHLG/OPW, 2009)
- CPO 13.3 and CPO 14.16 regarding minimum riparian zones
- CPO 14.07 to prepare or update flood risk assessments and flood zone maps for all zoned lands within the county
- CPO 14.10 prohibiting development in flood plains or other areas known to provide attenuation except where justified with the Justification Test
- Flood Risk Assessment 'Level 6 Mitigation Objective': To restrict the types of development permitted in Flood Zone A and Flood Zone B to the uses that are 'appropriate' to each flood zone, as set out in Table 3.2 of the Guidelines for Flood Risk Management (DoEHLG, 2009).

The following comments highlight opportunities for the Draft Plan before it is finalised.

**Flood Zone Mapping**

It is difficult to assess the zonings/sites at flood risk or if the sequential approach has been applied without the land use zoning maps overlaid with the flood zone maps.

**Flood Relief Schemes**



The OPW welcomes policy objective CPO 14.05, regarding working with the OPW and other agencies to deliver Flood Defence Schemes as identified in current and future FRMPs, in particular Avoca River (Arklow) and Avoca River (Avoca) The OPW recommends that the text in this objective could be clarified to ensure zoning or development proposals support and do not impede or prevent the progression of these measures.

There are also schemes planned for Baltinglass, Blessington, Greystones & Environs, and Wicklow & Ashford, which are to be delivered in the second tranche of schemes.

### **Settlements Level 6**

Level 6 Settlements have three zoning types, Primary Zone, Secondary Zone and Tertiary Zone. These zonings allow highly vulnerable, lesser vulnerable and water compatible development. To ensure no encroachment onto, or loss of the flood plain, the OPW recommends that a water compatible development type zoning such as *Open Space* would be used for lands identified as being at risk of flooding.

### **Settlements Level 7 to 9 and Rural Areas**

The OPW welcomes the commentary on both the settlements level 7 to 9 and rural areas, that as the Justification Test has not been applied or passed that new, highly and less vulnerable development should be located in Flood Zone C and only minor development as per Section 5.28 (as amended) of the Guidelines and water compatible uses will be permitted in Flood Zones A and B.

### **Justification Tests**

The OPW welcomes the inclusion of Plan-making Justification Tests supplied in the SFRA, and policy objective CPO 14.08 *“The zoning of land that has been identified as being at a high or moderate probability of flooding (flood zones A or B) shall be in accordance with the requirements of the Flood Risk Management Guidelines and in particular the ‘justification test for development plans’ (as set out in Section 4.23 and Box 4.1 of the guidelines).”* The OPW also welcomes the precautionary approach as set out in Section 4.5.1 of the SFRA whereby infill development is not considered exempt from the requirement for a Justification Test.

However, proposed land use zones, some of which are classified as highly vulnerable development in the Guidelines within Flood Zones A and B are shown in the settlement zoning maps. Examples of these are detailed in the Comments on ‘Specific Settlements’ section below. No commentary has been provided to demonstrate that the Plan Making Justification Test has been applied in proposing vulnerable development zoning within Flood Zones A and B.

Where it is intended to zone or otherwise designate land which is at moderate or high risk of flooding, then the appropriateness of the particular development should be rigorously assessed through the application of the Justification Test. The Guidelines set out that, at the Plan-making stage, land use zoning be informed by the suitable level of FRA and if necessary a Justification test. Chapter 5 of the Guidelines set out that *“most flood risk issues should be raised within strategic assessments undertaken by local authorities at the plan-making stage.*



*Therefore, as more plans are reviewed and zoning reconsidered, there should be less need for development management processes to require detailed flood risk assessment”.*

As flood risk assessments are integrated with the SEA process, Section 3.10 also highlights the need that FRA's be “*undertaken as early as possible in the process so that the SEA is fully informed of the flood risks and impacts of the proposed zoning or development”.*

If it is the case that these sites are already developed then Circular PL 2/2014 provides further advice and detail to planning authorities on older developed areas of towns and cities located in Flood Zone A and B. “*Where the planning authority considers that the existing use zoning is still appropriate, the planning authority must specify the nature and design of structural or non- structural flood risk management measures required prior to future development in such areas, in order to ensure that flood hazard and risk to the area and to other adjoining locations will not be increased, or if practicable, will be reduced”.*

The guidance on highly vulnerable existing development is mentioned in Section 4.2.2 of the SFRA, where it states that “*With the exception of Avoca, no settlements with extensive areas of existing residential development within Flood Zone A and B were identified”* However, there are significant areas of *Existing Residential* zoning within Flood Zones A and B in settlements such as Aughrim and Baltinglass.

For sites that are intended to be zoned for development following the application of a Justification Test where only a small proportion of the site is at risk of flooding, a policy objective might be attached to such zoning. Such an objective might require that the sequential approach be applied in the site planning, whereby to ensure no encroachment onto, or loss of the flood plain, or that only water compatible development such as *Open Space* would be permitted for the lands which are identified as being at risk of flooding within that site. Planning permission for these sites might then be subject to the sequential approach having been adopted and applied as above, following a detailed FRA.

### **National Indicative Fluvial Mapping (NIFM)**

The OPW NIFM has been used as dataset in producing the flood risk mapping. It is stated in Table 2-1: Indicators of Flood Risk of the SFRA that these maps are predictive flood maps, however it should be noted that these maps are indicative maps and are not predicative. The data shows the modelled extent of land that might be flooded by rivers during a theoretical or ‘design’ flood event.

While these maps are an improvement on PFRA mapping, they are still indicative maps and the same cautions and limitations as outlined in Circular PL 2/2014 for PFRA should be followed.

### **Consideration of Climate Change Impacts**

The OPW welcomes the discussion on climate change in the SFRA and in particular the consideration of future scenarios when assessing flood risk and the allowance for climate change in setting finished floor levels. However, this discussion is focused on incorporating climate change into development design and the Draft Plan has not addressed how climate change has been considered in the production of this development plan. Planning authorities can consider climate change impacts in the Plan-making Stage, such as by avoiding



development in areas potentially prone to flooding in the future, providing space for future flood defences, and setting specific development management objectives. It should be noted that the flood maps prepared under the CFRAM, NIFM and ICPSS Programmes include maps for two potential future scenarios taking account of different degrees of climate impact. Consideration might be given to policy objectives in relation to climate change and flood risk.

### **Coastal Change**

The OPW welcomes the following objectives on coastal change:

- CPO 14.03 and 14.04/19.15 and regarding an adaptive approach to the natural evolution of, and the protection of natural coastal defences
- CPO 19.5 *To work with the OPW and any other relevant bodies to address the effects of sea level changes, coastal flooding and erosion and to support the implementation of adaptation responses in vulnerable area*
- C&M 04 Natural Coastal Defences, *“We recognise the value of the County’s natural coastal defences including estuaries, dunes and sand dunes and ensure their protection from inappropriate development and interference”*

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.

### **Mitigation Measures**

The Flood Mitigation Measures at Site Design outlined in Section 4.11 of the SFRA are welcomed by the OPW and provide guidance on how residual flood risk can be managed to acceptable levels.

### **SuDS and Natural Water Retention Measures**

The OPW welcomes the policy objectives CPO 14.02, and 14.11 – 14.15, in relation to SuDS and natural water retention measures, and the inclusion of Chapter 18 on Green Infrastructure.

The Guidelines recommend that the SFRA provide guidance on the likely applicability of different SuDS techniques for managing surface water run-off at key development sites, and also that the SFRA identifies where integrated and area based provision of SuDS and green infrastructure are appropriate in order to avoid reliance on individual site by site solutions.

### **CFRAM Update**

In Section 8 SFRA Review and Monitoring, it is noted that the CFRAM Studies run on a six yearly cycle, and cycle 2 is due in at least 2026. The CFRAM Programme has been completed and implementation of the outputs from this work is underway. The EU Floods Directive requires Member States to review the PFRA, the FRMPs and the flood maps on a



six-yearly cycle. As part of the OPW commitment to carry out these reviews, the NIFM Programme has been completed. The OPW continues to update predictive flood mapping to provide the best available flood risk information through the map review programme, where a Flood Map Review Request Form has been submitted to the OPW and the criteria to trigger a review have been met.

### **Applications for Development in Areas at Risk of Flooding**

The OPW welcomes the guidance for all development proposals in Section 4.9 of the SFRA, confirmed and strengthened by Policy Objective CPO 14.09, which are provided in a clear and concise format in the form of a checklist.

### **Historic Flood Events**

Table 2-1 in the SFRA references historic flood events from [www.floodmaps.ie](http://www.floodmaps.ie). Please note that this website is no longer available and historic flood events are now available on [www.floodinfo.ie](http://www.floodinfo.ie).

### **Areas for Further Assessment (AFAs)**

Section 1.5 and Table 2-1 of the SFRA provide lists of AFAs in Wicklow. It is noted that Bray has been omitted from this list.

### **Comments on Specific Settlements**

#### **Baltinglass**

The commitment in the SFRA that *“Where there is existing residential within Flood Zone A or B, new development should be limited to minor development only (Section 5.28 as amended) with no new, major development permitted within this area.”* is welcomed, and the OPW suggests that this could be supported with a settlement objective.

#### **Rathdrum**

There are areas of *Mixed Use, Existing Residential, and Tourism* in Flood Zones A and B. It is stated in the commentary on this settlement in the SFRA that as none of these areas will pass the Plan-Making Justification Test, development be restricted to minor works as per Section 5.28 of the Guidelines. The OPW recommends this be supported with a settlement objective as outlined above in the Justification Test discussion.

#### **Ashford**

The OPW welcomes objective ASH12 to *“safeguard the integrity of streams and rivers in the plan area, in particular all watercourses that are hydrologically linked to The Murrrough European site, including the use of adequate buffer zones between watercourses and proposed developments.”*

There are areas of *Community & Educational, Employment and Public Utility* lands in Flood Zones A and B. It is noted in the commentary on this settlement that the *Community & Educational* and *Employment* lands would not pass a Justification Test, and the *Public Utility* lands fail a Justification Test in the addendum. It is set out in the commentary on the *Community & Educational* and *Employment* that as only a small portion of the zoned lands is in Flood Zones A and B, the sequential approach could be applied to development management to locate development within Flood Zone C. The conclusion to the Justification



Test for the *Public Utility* lands states that the zoning objective “does not proscribe exactly where in the zone development should occur”. The OPW suggests that an objective could be applied to these zonings as outlined above in the Justification Test.

### **Aughrim**

The OPW welcomes settlement objective AUG10 “To ensure that only ‘water-compatible’ uses are permitted on the employment zoned lands that are at flood risk and which are identified for such use on the land use zoning objectives map (refer Table 3.1: Classification of the vulnerability of different types of development, Flood Risk Management Guidelines DoEHLG/OPW, 2009).”

It is noted in the commentary on this settlement that as *Employment* zoning is less vulnerable, it is considered appropriate within Flood Zones A and B. This is not the case, as a Plan-Making Justification Test is required when zoning less vulnerable lands in Flood Zone A.

For the area zoned as *Tourism* in Flood Zones A and B, it is set out in the SFRA that future development is to be restricted to minor development. The OPW suggests that this be supported with a settlement objective similar to AUG10.

For the area zoned *Mixed Use* to the east of the settlement at the confluence of the Aughrim and Aughrim Lower rivers, it is stated in the commentary that as these lands do not pass the Justification Test, the sequential approach should be applied to development management “with less and highly vulnerable development focused to the east and which Flood Zone C and water compatible uses within Flood Zone A / B”. The OPW suggests that as this land does not pass the Justification Test, either an objective be applied to the zoning to support the above approach, or the lands at flood risk are rezoned as a water compatible type zoning.

There are areas of highly vulnerable *Existing Residential* in Flood Zone B, shown to be at increasing risk in future scenarios. No commentary has been provided on this in the SFRA. Highly vulnerable development is not appropriate in Flood Zone A and B unless a Plan-making Justification Test completed by the local authority can be satisfied.

### **Carnew**

There is an area of *Existing Residential* in Flood Zones A and B to the north of the settlement. This settlement is described as having no lands at risk of flooding in Table 1-3, and no commentary has been provided on this settlement in the SFRA.

### **Tinahely**

There is an area of *Public Utility* which can allow highly vulnerable uses in the centre of the settlement in Flood Zones A and B. No commentary has been provided on this zoning. Highly vulnerable development is not appropriate in Flood Zone A and B unless a Plan-making Justification Test completed by the local authority can be satisfied.

### **Avoca**



It is noted that development within Flood Zones A and B in the Primary Development Zone is premature until the Avoca flood relief scheme has been completed, and until that time development is to be restricted to minor works as per Section 5.28 of the Guidelines. Flood Relief Schemes are designed to mitigate the risk of flooding to existing communities and properties only.

It is noted that flood extents are shown to increase in CFRAM future scenario mapping.

### **Newcastle**

It is noted that flood extents are shown to increase in CFRAM future scenario mapping.

### **Laragh-Glendalough**

It is stated in the commentary that new development is to be located in Flood Zone C in Secondary Development Area, and avoided in Flood Zones A and B. The lands of the Secondary Development Area which overlaps with Flood Zones A and B is currently water compatible sports use which is to be retained. The areas of Flood Zone A and B in the Primary Development Area are currently *Open Space* which is to be retained. The OPW recommends this be supported with an objective.

### **Non-Settlement Zonings**

#### **Inchanappa South and Ballyhenry, Ashford**

It is set out in the commentary on this *Employment* zoning that as the zoning is less vulnerable, the Plan Making Justification Test is not required. As per Table 3.2 in the Guidelines and Table 1-6 in the SFRA, the Plan Making Justification Test is required for less vulnerable development in Flood Zone A.

It is stated in the commentary that the areas within Flood Zones A and B should be retained for water compatible purposes. The OPW recommends rezoning these lands as a water compatible type such as Open Space to reflect the land use and to ensure no encroachment onto, or loss of, the flood plain.

If further information or input is required, please do not hesitate to contact the OPW ([floodplanning@opw.ie](mailto:floodplanning@opw.ie)) in advance of the completion of the Draft Wicklow County Development Plan 2021-2027.

Yours sincerely,

\_\_\_\_\_*Niall Murphy*\_\_\_\_\_

pp Conor Galvin

Flood Risk Management – Climate Adaptation and Strategic Assessments