



**Planning Department,
Meath County Council,
Buvinda House,
Dublin Road,
Navan,
Co. Meath,
C15 Y291**

22/06/2021

RE: Material Amendments to Draft Meath County Development Plan 2021-2027

Dear Sir/Madam,

The Office of Public Works (OPW), as lead agency for flood risk management in Ireland, welcomes the opportunity to comment on the Material Amendments to Draft Meath County Development Plan 2021-2027.

The SFRA Review of Proposed Material Amendments document contains recommendations in relation to lands in flood risk areas, however these recommendations have not been implemented.

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

Sequential Approach

The Guidelines highlight the need for a Sequential Approach to managing flood risk, using mapped flood zones alongside considerations of the vulnerability of different types of development to give priority to development in zones of low flood probability. Only if there are no reasonable sites available in zones of low flood probability should consideration be given to development in higher flood probability zones. Land use zoning within Flood Zones that would be considered inappropriate or require application of the Justification Test, in accordance with Table 3.2 of the Guidelines, has been proposed in a number of settlements. The ‘*Comments on Specific Settlements*’ section below, details those that are proposed in the amendments to the draft plan. It should be noted that Plan-making Justification Tests have not been supplied for zonings originally proposed in the draft plan as required by the Guidelines.

Plan-making Justification Tests

Lands that are predicted to be at risk from flooding are still zoned for development. The Chief Executive’s Report states “*Developments on such lands will be subject to a detailed Justification Test at Development Management Stage*”. The Justification Test is comprised of two processes, a Plan-making Justification Test and a Development Management Justification Test. This is not in keeping with the Guidelines, which requires the Council to satisfy the first part of the Justification Test. Where it is intended to zone



or otherwise designate land that 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 of the Guidelines 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”*.

Please note that the Justification Test applies only to the urban centre (i.e., the core area of a city, town or village which acts as a centre for a broad range of employment, retail, community, residential and transport functions), and would not be applicable to the periphery of urban areas.

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”*.

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, 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, following a detailed FRA.

Consideration of Climate Change Impacts

The OPW submission recommended the use of the CFRAM mid-range and high-end future scenario mapping and that the draft plan should consider the application of climate change parameters when zoning lands.

The OPW recommend that the Draft Plan addresses how climate change has been considered in the production of this development plan. 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 and NIFM Programmes include maps for two potential future scenarios taking account of different degrees of climate impact.

National Indicative Fluvial Mapping (NIFM)

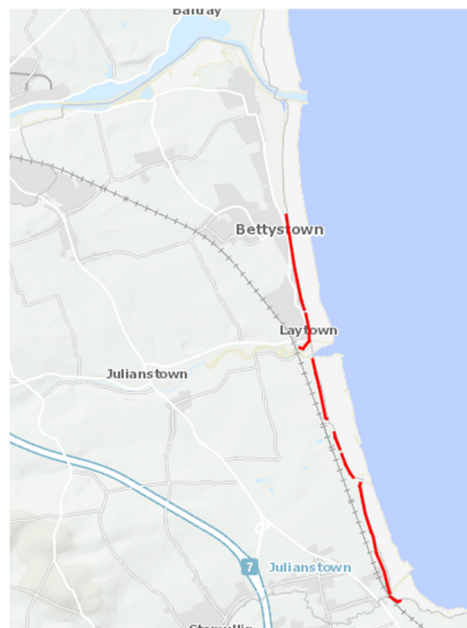
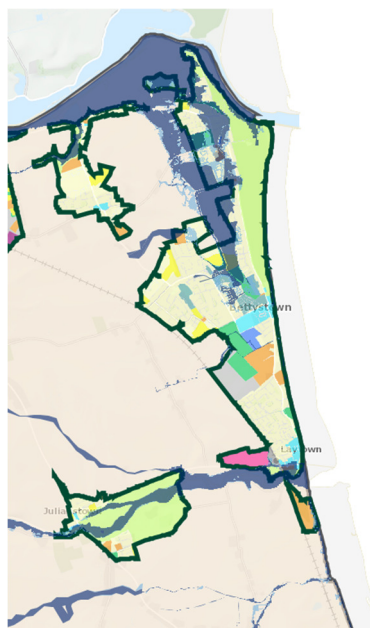
The flood maps, including those for potential future scenarios taking account of the possible impacts of climate change, may be obtained in GIS format from the OPW Flood Risk Management - Data Management Section via email (flood_data@opw.ie).

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. Please note that NIFM mapping does not cover catchments that were smaller than 5km².

Coastal Change

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.

Bettystown and Laytown are identified on the ICPSS 2050 Erosion Line as areas that maybe vulnerable to coastal erosion. While not specifically covered by the Guidelines, Meath County Council 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).



Land Use zoning at Bettystown/Laytown and the Irish Coastal Protection Strategy Study (ICPSS) 2050 Erosion Line
Specific Comments on Settlements

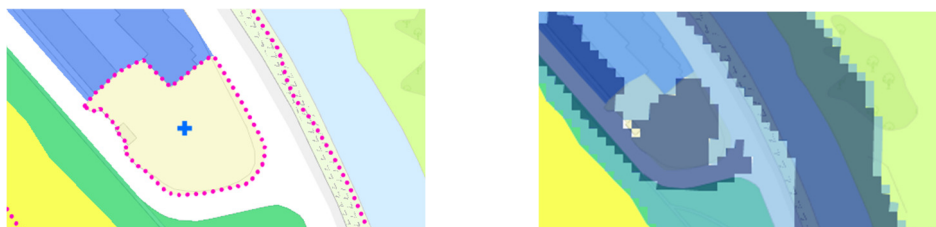
Navan

Amendment No 4 proposes extending *General Enterprise and Employment* zoning into Flood Zone A. Development categorised as ‘Less vulnerable’ in the Guidelines is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied. The SFRA Review of Proposed Material Amendments recommends, “*Meath County Council are required to apply Parts 1 & 2 of the Justification test*” or “*rezone Flood Zone A to open space at Plan Making Stage*”. The Guidelines clearly state that all three criteria of the Justification Test must be satisfied. A Plan-making Justification Test has not been supplied and the lands have not been rezoned as *Open Space*. This site is at the periphery of the settlement and zoning lands in flood risk areas which do not satisfy Criteria 2 is not in keeping with the Sequential Approach, to avoid and substitute, especially if there are other lands at a lesser risk available.

Amendment No 7 proposes rezoning *Mixed Use* to *Existing Residential*. The SFRA Review of Proposed Material Amendments has identified this area as located in Flood Zone A and this can be observed on the Flood Zone mapping provided where the site is inundated in Flood Zone A and B. The SFRA assessment notes that as the site is existing residential no further action is required in the SFRA. This is not the case as a Plan-making Justification Test is required for existing zonings in flood risk areas, please refer to the section above on Plan-making Justification Tests in relation to sites already developed. It would appear from the mapping that this area is undeveloped. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development



is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.



Navan, Amendment No 7, Meath County Council Land Use Zoning Mapping and Flood Zone Mapping

For Amendment No.8, rezoning *Mixed Use* to *New Residential*, the SFRA Review of Proposed Material Amendments recommends, “*Re-zone as OS if possible or apply the Justification Test and include an objective to retain 10m strip as open space*”. The OPW would agree with this recommendation, to follow the Sequential Approach and avoid flood risk by zoning as a water-compatible type zoning such as *Open Space* or that the lands must satisfy a Plan-making Justification Test. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Amendment No.10 proposes extending the settlement boundary to include for a *Tourism* zoning, which will potentially be developed as a hotel. As stated by the SFRA Review of Proposed Material Amendments, the site is adjacent to a watercourse and is partly within Flood Zone B. Highly vulnerable development is not appropriate in Flood Zone B, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Dunboyne/Clonee/Pace

Amendment No.3, is to include an area of *Existing Residential* within the settlement boundary. The zoning is partially within Flood Zone B. Highly vulnerable development is not appropriate in Flood Zone B, unless a Plan-making Justification Test completed by the local authority can be satisfied. Please see section on Justification Tests above in relation to sites already developed.

Amendments No.4 and No.5, identify proposed routes for new distributor roads. Highly vulnerable development, including essential infrastructure, is not appropriate in Flood Zone A and B and less vulnerable development, including local transport infrastructure, is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied. It should be noted that there are restrictions on the construction, replacement or alteration of bridges and culverts over any watercourse, and that appropriate consent from the Commissioners is required under Section 50 of the Arterial Drainage Act 1945.



Ashbourne

Amendment No. 13, rezoning *New Residential* to *Community Infrastructure*. In the previous zoning the area within Flood Zone B was zoned as *Open Space*, however this is proposed to be reduced with the new *Community Infrastructure* zoning now partially within Flood Zone B. Highly vulnerable development, is not appropriate in Flood Zone B, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Kells

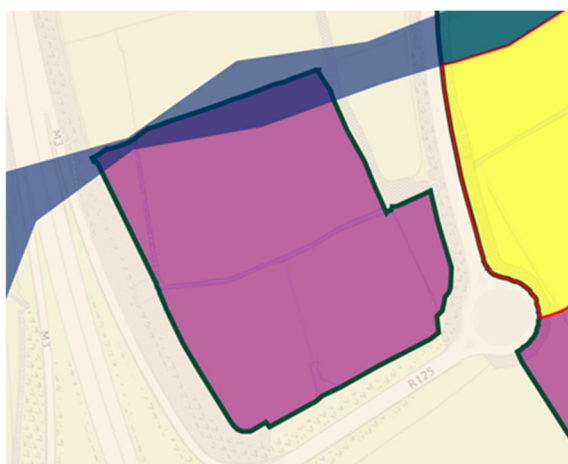
For amendment No.5, the OPW would agree with the recommendation in the SFRA Review of Proposed Material Amendments, to rezone the flood risk lands as *Open Space*. Zoning as a water-compatible type would prevent encroachment and/or loss of floodplain. Otherwise a Plan-making Justification Test completed by the local authority should be satisfied.

Trim

Amendment No.6, proposes extending the settlement boundary to include for *Community* and *Tourism* zoning. The Tourism site is partially within Flood Zone A and B. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Dunshaughlin

Amendment No.2, proposes zoning a greenfield site as *General Enterprise and Employment* which is outside the settlement boundary. The site is partially within Flood Zone A, with other watercourses crossing the site. The Guidelines clearly state that all three criteria of the Justification Test must be satisfied. Zoning lands in flood risk areas which do not satisfy Criteria 2 is not in keeping with the Sequential Approach, to avoid and substitute, especially if there are other lands at a lesser risk available. It is not considered appropriate to zone less vulnerable development in Flood Zone A, and it is recommended that these lands should be rezoned as water-compatible type zoning such as *Open Space*.



Dunshaughlin, Amendment No.2, Site partially in Flood Zone A and watercourses on the site

Bettystown

Amendment No.4, rezoning *General Enterprise and Employment* to *Strategic Employment Zones (High Technology Uses)/ General Enterprise & Employment*. The site is partially within Flood Zone A and B. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Amendment No.5, proposes extending the settlement boundary to include for *Tourism* zoning, which appears will include camping and mobile homes. Caravans and mobile home parks are classified as highly vulnerable, and short-let caravans and camping (subject to specific warning and evacuation plans) are classified as less vulnerable and are not considered suitable in Flood Zones A and B and Flood Zone A respectively unless a Plan-making Justification Test completed by the local authority can be satisfied.

Amendment No.6, proposes extending the settlement boundary to include *New Residential, Open Space* and *Tourism* zoning. The *New Residential* site is located with in Flood Zone A and B. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied. This site is at the periphery of the settlement. Zoning lands in flood risk areas which do not satisfy Criteria 2 is not in keeping with the Sequential Approach, to avoid and substitute, especially if there are other lands at a lesser risk available.

Amendment No.10, rezoning *Commercial Town or Village Centre* as *Existing Residential*. The lands are located in Flood Zone A. The SFRA assessment notes that as the lands are existing residential no further action is required at plan-making stage. This is not the case as a Plan-making Justification Test is required for existing zonings in flood risk areas. Please refer to section above on Plan-making Justification Tests in relation to sites already developed. Highly vulnerable development is not appropriate in Flood Zone



A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Amendment No.11, rezoning *Open Space* as *New Residential*. Planning permission has been granted to construct new dwellings on this site that is located in Flood Zone A and is within the benefitting area of the Mornington Flood Relief Scheme. It is stated in the SFRA Review of Proposed Material Amendments that a Justification Test was supplied. The Justification Test has two parts, a Plan-making Justification Test and a Development-management Justification Test. It is assumed that this refers to a Development-management Justification Test. The Plan-making Justification which must be satisfied by the Council has not been supplied for this site and there is no comment that one has been completed and satisfied. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Ratoath

Amendment No.3, proposed reducing with *Open Space* zoning, with the *Commercial Town or Village Centre*. The Commercial Town or Village Centre zoning is now partially within Flood Zone A and B. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Athboy

Amendment No.3, proposes a *Community* zoning outside the settlement boundary. The site is partially within Flood Zone A and B. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied. The SFRA Review of Proposed Material Amendments recommends, “*Meath County Council are required to apply Parts 1 & 2 of the Justification test*” or “*rezone Flood Zone B to open space at Plan Making stage*”. The Guidelines clearly state that all three criteria of the Justification Test must be satisfied. A Plan-making Justification Test has not been supplied and the lands have not been rezoned as *Open Space*. This site is at the periphery of the settlement and zoning lands in flood risk areas which do not satisfy Criteria 2 is not in keeping with the Sequential Approach, to avoid and substitute, especially if there are other lands at a lesser risk available.

Gormanston

Amendment No.1, proposes extending the settlement boundary to include a *Transport and Utilities*, which will be a recreational carpark. The site is within Flood Zone A and B. The OPW agrees with the SFRA Review of Proposed Material Amendments, that carparking is water compatible use and a Justification Test is not required. An Objective could be included to state that only water compatible land uses are permitted such as the carpark.

Slane



Amendment No.4, rezoning *High Amenity* as *Tourism*. The zoning is within Flood Zone A and B. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied.

Summerhill

Amendment No.2, proposes extending the settlement boundary to include a *Community* zoning, which will be elderly accommodation. Highly vulnerable development is not appropriate in Flood Zone A and B, and less vulnerable development is not appropriate in Flood Zone A, unless a Plan-making Justification Test completed by the local authority can be satisfied. The SFRA Review of Proposed Material Amendments recommends, “*Meath County Council are required to apply Parts 1 & 2 of the Justification test*” or “*rezone Flood Zone A to open space at Plan Making stage*”. The Guidelines clearly state that all three criteria of the Justification Test must be satisfied. A Plan-making Justification Test has not been supplied and the lands have not been rezoned as *Open Space*. Zoning lands in flood risk areas which do not satisfy Criteria 2 is not in keeping with the Sequential Approach, to avoid and substitute, especially if there are other lands at a lesser risk available.

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Conor Galvin", on a light-colored background.

PP Conor Galvin
Flood Relief and Risk Management Division