



Planning Department,
Tipperary County Council,
Civic Offices,
Limerick Road,
Nenagh,
Co Tipperary,
E45 A099

18/07/2023

RE: Draft Roscrea Local Area Plan 2023-2029

Dear Sir/Madam,

The OPW, as lead agency for flood risk management in Ireland, welcomes the opportunity to comment on the Draft Roscrea Local Area Plan 2023-2029.

This submission is made specifically concerning flood risk management. Further submissions on the Issues Paper may be made by the OPW concerning the estate portfolio, heritage and other areas of responsibility.

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

Supplied Justification Tests

The OPW welcomes the inclusion of a map to identify the sites / land use zonings for which the Justification Test applies to.

The OPW also welcomes the updating of Criteria 3 to be in line with the Guidelines and clarification that it is the measures outlined in Section 4.1 – 4.4 which are relevant.

Existing, Developed Zoned Areas

The OPW had previously commented at Draft Plan Stage that Justification Tests are required for existing, developed zoned areas, these were *Existing Residential, Community Services and Infrastructure* and *Employment* zoned lands.

Justification Tests for existing developed zoned areas have not been provided. Please refer to Circular PL 2/2014 for further information relating to the zoning of previously developed land within Flood Zones A/B. Tipperary County Council might consider including a policy objective that further development in existing developed areas at flood risk is limited to minor development, as outlined in Section 5.28 of the Guidelines as amended by Circular PL 2/2014. These limitations should be included or referenced in Criterion 3 of the Justification Test.

Criteria 2

Each criterion of the Plan Making Justification Test must be satisfied for a zoning to be considered justified. If any of the criteria outlined in Box 4.1 of the Guidelines have not been



satisfied, the Justification Test has not been passed. Criteria 2 requires that only land use zonings within or adjoining the urban centre, of settlements which have been targeted for growth can pass the Plan Making Justification Test. Zonings / development on the periphery of urban areas cannot pass the Justification Test as they cannot satisfy Criteria 2.

Box 4.1 of the Guidelines states, *“Where, as part of the preparation and adoption or variation and amendment of a development/local area plan, a planning authority is considering the future development of areas in an urban settlement that are at moderate or high risk of flooding, for uses or development vulnerable to flooding that would generally be inappropriate as set out in Table 3.2, all of the following criteria must be satisfied”*. This also includes all sub-criteria of the Test. Only if Tipperary County Council can demonstrate that all sub-criteria of a Justification Test have been satisfied can the Test be deemed to have passed.

For existing development, when avoidance and substitution for a periphery urban area at flood risk is not possible and all criteria of the Justification Test cannot be satisfied then a policy objective should be attached to the zoning. This policy objective should limit existing development to minor development, as outlined in Section 5.28 of the Guidelines as amended by Circular PL 2/2014, and new development be limited to water compatible development in Flood Zone A and less vulnerable and water compatible in Flood Zone B.

Community Services and Infrastructure

The OPW had previously commented that *“There is a Community Services and Infrastructure zoning to the east of the town, with a small proportion of Flood Zone A through the site. A Plan-making Justification Test has not been supplied for this zoning, however this site is located at the periphery of the Local Area Plan and would not satisfy all criteria of the Test. Criteria 2 requires that only land use zonings within or adjoining 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), of settlements which have been targeted for growth can pass the Plan Making Justification Test. Therefore, the Justification Test would not be applicable to the periphery of urban areas as the zonings / development cannot satisfy Criteria 2. Any lands that are undeveloped within Flood Zones A and B, where inappropriate development is proposed, should be rezoned as a water compatible type zoning in Flood Zone A, and less vulnerable or water compatible type zoning in Flood Zone B”*.

This has not been addressed in the proposed Material Alterations.

Town Environs

The OPW had previously commented that *“The land use zoning type Town Environs permits agricultural buildings / structures and residential development is also open for consideration in the zoning. It should be noted that land and buildings used for agriculture are considered less vulnerable development and dwelling houses are considered highly vulnerable type development in the Guidelines. Highly vulnerable development is not considered appropriate in Flood Zone A or B and less vulnerable development is not considered appropriate in Flood Zone A unless a Plan-making Justification Test completed by the local authority can be satisfied. This land use zoning is unlikely to satisfy all criteria of the Plan Making Justification Test. Consideration might be given to policies and objectives limiting development of inappropriate vulnerability in flood risk areas, such as only water compatible development is*



permitted in Flood Zone A and water compatible and less vulnerable development is permitted in Flood Zone B”.

Material Alteration No 31 has proposed including a note on Land Use Zoning Objectives and Matrix under Table 9.2 that development shall be limited to water-compatible uses in Flood Zone A, and less vulnerable or water compatible uses in Flood Zone B (as per the Flood Risk Management Guidelines), and a detailed site specific Flood Risk Assessment will be required in these areas. This addition should ensure that inappropriate development in flood risk areas for this zoning type, which is mainly at the periphery areas, is not permitted.

Consideration of Climate Change Impacts

The OPW welcomes Material Alteration No. 26 to clarify in Section 8.5 that climate change has been considered in the production of the Local Area Plan by overlaying the National CFRAM future scenario mapping with the Land Use Map and avoiding development in areas potentially prone to flooding in the future. The OPW also welcomes the inclusion of these maps in the SFRA. This demonstrates Tipperary County Council has taken a precautionary approach to climate change in Roscrea.

If further information is required, please do not hesitate to contact the OPW (floodplanning@opw.ie) in advance of the completion of the Draft Roscrea Local Area Plan 2023-2029.

Yours sincerely,

pp Conor Galvin

Flood Risk Management – Climate Adaptation and Strategic Assessments