

Irish Planning Institute Submission on Pre-Draft Planning and Flooding Guidelines

Introduction

The issue of flooding both river and estuary/tidal origin is a critical issue for delivering sustainable planning in Ireland. The last decade has seen levels of development and town expansion at a scale not seen in the last century. This rapid growth has occurred at a time when there has been less direct engagement with the land and the sea by both those bringing land forward for development and the people who live and work there. Patterns of flooding that were known within the common memory of communities have been eroded and the changed landscape, farming patterns and infrastructure development have all had significant impacts on changing traditional patterns of flooding across the country. Added to this, the risks associated with climate change as a result of global warming raise the risk levels of certain areas from over 100 years risk to significantly less, as well as putting vulnerable coastal areas such as low-lying dune protected areas at risk from serious breaches by the sea.

Planning Process- Development Plans

The decision to develop certain areas of land over other areas is generally driven by the policies and zonings adopted by the City or County Councillors of a particular Planning Authority for their area of responsibility. This reserved function is undertaken by the Councillors, with the advice and information made available to them by the Manager and his/her staff, including key professional staff from Planning and Water Services sections. It is at this stage the most crucial decisions are made that impact on flood plains, infrastructure policies, biodiversity and heritage policies as well as, inter alia, specific objectives for coastal areas and it is considered that the new guidelines will need to comprehensively address this process.

Addressing only or focusing most of the guidance on the development management process, where the decision that particular lands are appropriate for development “is shutting the door after the horse has bolted”. The inappropriate zoning of lands creates an unnecessary burden on the developer where they have invested in the site in bringing it forward for development face significant and possibly unforeseen problems with impacts up and down stream to put in place the needed levels of protection to allow it be developed. It places a significant burden on the Authority who will be responsible for all future works to prevent flooding into the new development and to protect existing areas now exposed to heightened flood risk.

The Development Plan is a cornerstone document which allows a Planning Authority bring together all of the key issues it faces under statute and presents the most appropriate vehicle to integrate flood protection policy with other important issues- including that highlighted in the consultation notes- that of protection of biodiversity, including actions and impacts on protected sites, estuary and coastal areas which are particularly vulnerable to surges from high dependency/squeezing of high run-off into culverts and man-made channels.

The relationship with the many River Basin District Plans which are under preparation across the country needs to be addressed as one of the elements of the assessment of river are the levels of man made changes made to the bed and banks of a river. Investing significantly in man-made solutions to concerns on flooding will impact on the ability of these Plans to meet the targets set.

The possibility should be examined of requiring each Council to include in the Development Plan both as mapping and as policy, the identification of catchment management plan areas for rivers and coastal areas within and adjoining towns/suburbs, built up and new expansion areas. These plans should address the issue of flood management, including recommendations on setbacks, flooding areas to be protected, areas which are/are not suitable for various types of development. These recommendations could be incorporated into creation process for new town and local area plans.

Planning Process- Development Management

The Guidance issued will need to examine this issue at a number of levels and the Institute would urge that a “one size fits all” approach to key recommendations is avoided. The policy approach will need to distinguish between development proposals which all within built up areas prone to flooding (historic town centres for example) and green field sites- both those which fall within the catchment of a key river or tributary and those which traditionally or recently have formed part of an area prone to flooding.

Where applications are made for development of lands in a flood plain focus should be on the impact of the development and any works such as raising land levels on other landowners along the same catchment and whether the applicant can demonstrate beyond doubt that the works can be done without have significant detrimental impacts on either lands, businesses or homes along the river/coastal area. Planning under the Act focuses on delivering for the common good, and this principle should form the core of any assessment approach to the development of any one site.

In built up areas where infill development is proposed in urban areas prone to flooding the issue of the protection of half and full basement levels- car parks/garden level apartments etc, from flooding needs to incorporated into the design proposal.

It is advised that the steps made through the adoption of the Sustainable Urban Drainage Systems used in a number of Authorities can be examined as an already tested pilot for the Country in steps that can be taken to reduce run-off surges within river catchment areas and can reduce the impact of lands which traditionally would soak up rainfall now being covered for large sections by hard surfacing and piped drainage.

The use of swales and underground surface water storage on amenity lands should be discussed in the Guidance, with the inclusion where possible of best practice examples. The use of such lands and their protection through both ownership from ceding as open space and by zoning allows for their long term use a key cogs in flood defence of built up but vulnerable areas.

Conclusions

The failure in the past to adequately address the flooding issue as part of the overall planning process has resulted in the destruction of peoples homes, belongings, businesses and had a traumatic impact on their lives. It is in the best interest of the whole community that development proceeds in a manner that new housing is best sited away from high risk areas, and that lands which are likely to be vulnerable through climate change over the next century are also addressed as part of this process.

Decisions made by the Council chamber and the accountability process associated with the zoning of lands which are unsuitable for development within the Development Plan/variation/local area plan process needs to adequately addressed in the interests of protecting the end user and all those who are affected by virtue of their location in the same catchment area.