

**Proposed Material Alterations
to the
Draft Piltown Local Area Plan 2010**

*Kilkenny County Council
Forward Planning*



15th November 2010

Overview

This report is set out as follows:

- Introduction
- Proposed Material Alterations to Piltown Draft Local Area Plan 2010
- Proposed Material Alterations to Piltown Draft LAP Appropriate Assessment Screening Report
- Proposed Material Alterations to Piltown Draft LAP Strategic Environmental Assessment Screening Report

1.0 Introduction

In accordance with Section 20 (3)(e) of the *Planning and Development Acts 2000-2010*, Kilkenny County Council is proposing a number of material alterations to the *Piltown Draft Local Area Plan 2010* which was published on the 7th July 2010. These material alterations have arisen following the Elected Members review of the *Manager's Report on Submission received to the Draft Piltown Local Area Plan* under section 20 (3)(c) of the *Planning and Development Acts 2000-2010*.

The proposed material alterations to the text are outlined below and should be read in conjunction with the *Piltown Draft Local Area Plan*; proposed deletions are shown in ~~strike-through~~ and proposed insertions are show in *italics*.

Where an issue was raised as part of a submission the reference number of the corresponding submission has been given (example PD-1-iii). A summary of the submissions made and the Manager's response to each can be found in the *Manager's Report on Submissions received to the Draft Piltown Local Area Plan*.

This document also sets out the proposed material alterations to the *Piltown Draft LAP Appropriate Assessment Screening Report* and the *Piltown Draft LAP Strategic Environmental Assessment Screening Report*, which should be read in conjunction with those reports.

2.0

Proposed Material Alterations to Piltown Draft Local Area Plan 2010

Section 1.4

National, Regional and County Strategies P-D-7-ii

Insert the following sentence at the end of section 1.4:

Piltown is located in a Stronger Rural Area in accordance with the provisions of the Sustainable Rural Housing Guidelines, accordingly the Council will endeavour to promote the development of houses in Piltown, in accordance with its scale and character thus providing an alternative to single dwellings in the countryside.

Having regard to Piltown's position as a smaller town/ village in the County Settlement Strategy and its designation as a 'level 4' settlement in the Council's County Retail Hierarchy, the village functions as a local service centre to cater for the needs of the population of the town and its immediate environs.

Section 2.2.1

Water supply

Piltown is served by the combined Mooncoin and Fiddown-Piltown water supply scheme. At present, water supply volumes serving Fiddown-Piltown are inadequate to cater for further development. Kilkenny County Council is currently in the process of upgrading and augmenting the existing Mooncoin Regional Water Supply Scheme which will have a positive impact on the *Fiddown- Piltown/Piltown* water supply scheme. The upgrade of the Mooncoin Regional Water Supply scheme is set to take place over 3 phases of works. Currently works are being undertaken for phase 1. The works as part of phase 1 will relieve pressure on parts of the existing water supply scheme serving *Fiddown- Piltown*-Piltown and allow for small amounts of further development, and is due to be complete in the third quarter of 2010. Further upgrading of the water supply will be dependent on phases 2-3 of the Mooncoin Regional Water Supply scheme, a date has not been finalised as yet for these works to commence.

~~The Fiddown- Piltown water supply scheme has been included for allocation of funding in the Water Services Investment Program for phases 1 & 2 of the upgrading works; these works are necessary to accommodate the natural increase and growth of the village as proposed in this plan.~~

Water Quality Analyses over the years show that water quality in the area is good. Water quality is monitored on a daily basis by the Council's staff, in accordance with the HSE requirements to ensure that water quality remains high. ~~The lime content of the water is suitable for consumption, and whilst it solidifies when heated, cannot be readily removed from the water supply.~~

A Water Conservation Project is underway across the county at present. The first stage of this project divided the water supply schemes into different zones and installed meters. The second stage is active leakage control, which includes detecting and repairing leaks. *A county-wide mains rehabilitation & replacement programme is due to commence in 2011 as phase 3 of the project, thereby further reducing 'unaccounted for water'.*

Policy:

- IN1 - To conserve valuable water supplies by eliminating leakages and through raising public awareness of the need for water conservation.
- IN2 - To preserve free from development the way leaves of all public water mains.

Objective – IN3:

To provide water in sufficient quantity and quality to serve the needs of the existing and future population and commercial development, for all lands zoned for development in this plan, as resources and finances permit.

Section 2.2.2 Waste Water Treatment

Piltown is served by a sewerage scheme with secondary treatment, which was constructed in 1985. This has a design Population Equivalent of 1500, and is currently operating *at approximately double its design capacity with a population equivalent of 3000* and therefore does not have capacity to cater for future demand.

Piltown has been included in the Water Services Investment Programme for upgrading of the wastewater treatment plant; ~~to accommodate existing and future development as outlined in this plan~~, a timeframe has not been set for the delivery of the upgrade which will also be dependent on funding from Kilkenny County Council.

Policy:

- IN4 - Significant additional development shall not be permitted to the wastewater treatment until such time as the scheme is upgraded to adequate capacity and treatment levels.
- IN5 - To preserve free from development the way leaves of all public sewers.

Objective – IN6:

To maintain and improve wastewater treatment services and to upgrade the treatment system to cater for the future growth of the town as resources and finance permit.

Section 2.2.3.2 Flood Risk Management (P-D-7-vi, P-D-8-i-iv)

~~In line with *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009) a Strategic Environmental Assessment Screening has been carried out for this plan.~~

~~The Office of Public Works (OPW) has identified the levels of existing flood risk in and around the River Suir and its tributaries. In co-operation with various Local Authorities within its catchment area, the OPW are conducting a 'Catchment Flood Risk Assessment and Management (CFRAM) Study' of the entire catchment area, including lands at Piltown.~~

~~Figure 4 shows lands identified as 'Benefiting Lands' on the OPW's website as part of the *National Flood Hazard Mapping*; these are lands that might benefit from the implementation of Arterial (Major) Drainage Schemes (under the Arterial Drainage Act 1945) and indicating areas of land subject to flooding or poor drainage.~~

~~This gives an approximate estimation of the extent of the floodplain at Piltown. The lands thus identified have been zoned as 'Open Space' under the Zoning and Land Use Map, or have been zoned for Phase 2 development (i.e. not within the life of this plan), or are part of an existing use. Some of these lands are within the area identified as a candidate Special Area of Conservation under the EU Habitats Directive. In this regard, it is a policy of the LAP to keep this area free from all inappropriate development.~~

~~In compliance with the Guidelines, there is no potential flood risk identified within areas planned for growth, and the plan therefore accords with the guidelines' sequential approach in avoiding developing lands that may be vulnerable to flooding.~~

Flooding of the Pil River occurs a number of times per year, as recorded on the Office of Public Works (OPW) National Flood Maps and from information gathered from local residents during public consultation. The worst areas affected being the Main street, Creamery Road and the Tybroughney road; residents in Tybroughney are cut off from the village during flood events. A number of residential properties have also been affected by the flooding.

The 'Preliminary Report Pil River Drainage Study' carried out by Kilkenny County Council in December 2002 states:

The main problematic flooding area is located where the two tributaries of the Pil meet. This meeting point is located in the centre of Piltown village, just south of the Main Street and to the west of the Creamery Road. The Pil River is tidal and during periods of sustainable rainfall and high tides, the Pil River will burst its banks and flood the Main Street and Creamery Road areas of Piltown village and farmland south of the village to the River Suir, a distance of approximately 2.5km. A problem that is further aggravated by southerly winds.

Having conducted interviews with local residents and through our own records, taking a five year period from 1998-2002. The Pil River on average bursts its banks ten times per year.

Flooding appears to be caused by a number of contributing factors – the tidal nature of the Pil River, heavy rainfall, wind direction, silting of the river channel, blocking of the channel by debris and the restriction of water flow by a services pipe in the eye of the bridge.

Some works have been carried out to clear the river channel of the Pil River, however flooding remains a significant concern in the town.

Policy:

IN9 To require new development to demonstrate that it will not have a negative impact on the Pil River floodplains and to ensure that the banks of the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.

IN10 To require all significant developments impacting on flood risk areas to provide a Flood Impact Assessment, to identify potential loss of flood plain storage and how it would be offset

Objective:

IN11 To investigate in conjunction with the OPW the causes of flooding in Piltown and to seek the necessary funding for the remedial defence works required to prevent its reoccurrence in the future.

IN12 To remove the obsolete watermain under the bridge to improve river flow at this location.

In line with The Planning System Flood Risk Management Guidelines for Planning Authorities (2009) a Strategic Environmental Assessment Screening has been carried out for the Draft Piltown Local Area Plan, and contains Stages 1 and 2 of a Flood Risk Assessment; outline details of which are set out below:

Stage 1 - Flood Risk Identification.

This stage of the flood risk assessment identifies whether there may be any flooding or surface water management issues relating to the plan area that

warrant further investigation. A number of sources of information were consulted at this stage. There two main areas within the built-up area of Piltown that are affected by flooding, both associated with the Pil River – on Main Street and on Creamery Road; flooding in these areas occurs several times per annum. Benefiting Lands have been identified by the OPW along the banks of the Pil River, and these affected areas are demonstrated in Figure 4. As a Flood Risk issue has been identified within the proposed development boundary the Flood Risk Assessment proceeds to Stage 2.

Stage 2 – Initial Flood Risk Assessment

The purpose of the initial FRA is to ensure that all relevant flood risk issues are assessed in relation to the decisions to be made and potential conflicts between flood risk and development are addressed.

A number of sources combine to lead to multi-annual flooding on the Main Street and Creamery Road; the primary source is the Pil River which is tidal and reaches high levels where the two tributaries of the Pil meet, additional sources include spring tides, heavy rain-fall run-off and southerly winds causing high river levels. Flooding occurs when the Pil River over-tops its banks.

Some clearing of the Pil River channel has been carried out by local residents, which has helped somewhat, but flooding still occurs a number of times per year. An objective of the draft plan to remove an old service pipe that may have been causing obstruction of flow under the bridge has been carried out.

A number of steps have been taken to lessen the impacts of flooding in the plan area and the Sequential Approach has been followed to ensure that appropriate uses have been zoned on lands that are at risk of flooding. To this end the avoidance principle has been used, with some lands that are at risk being de-zoned while other lands have been zoned for Phase 2 development. Any proposals for development of lands zoned for development within areas at risk of flooding will be required to comply with a number of policies to ensure that development will not exacerbate flooding in Piltown.

It is not considered necessary to proceed to Stage 3 Detailed Flood Risk Assessment having regard to the limited development area proposed within flood risk areas and the policies and objectives as set out in this plan to lessen potential impacts of flooding in the area.

The identification of Ecological Networks in the plan area, with associated policies to ensure their protection, including preservation of floodplain areas, provides storage for flood waters and can reduce flooding elsewhere.

Policy:

IN9 To require new development to demonstrate that it will not have a negative impact on the Pil River floodplains and to ensure that the banks of the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.

IN10 Development proposals for lands in areas affected by flooding, particularly those on Creamery Road, may be required to carry out a Stage 3 Detailed Flood Risk Assessment and detailed explanation of how the Justification Test has been met in accordance with The Planning Systems and Flood Risk Management Guidelines for Planning Authorities (2009).

Objective:

IN11 To investigate in conjunction with the OPW the causes of flooding in Piltown and to seek the necessary funding for the remedial defence works required to prevent its reoccurrence in the future.

Section 2.3.1

Roads (P-D-1-iii, P-D-3-iii, P-D-1-ii, P-D-6-v)

Alter the text as follows (deletions in ~~strikethrough~~, additions in *italics*):

The N24 Piltown-Fiddown by-pass was opened to traffic in January 2002. The Final Stage 3 Audit was undertaken by TMS Consultants in relation to the by-pass and the recommendations of this audit were implemented. A Road Safety Audit involves the evaluation of road schemes during design and construction to identify potential hazards that may affect any type of road user, and the appropriate measures to eliminate or mitigate any such hazards.

~~The ‘2+1 System’ was introduced in 2006 and a Stage 3 Road Safety Audit was undertaken following the completion of the scheme, the recommendations of the audit were implemented.~~

~~Since the introduction of the 2+1 System the feedback from An Garda Siochana has been extremely positive. A proposal has been approved by the NRA for works to be carried out, on a trial basis over a number of weeks, at the Piltown Tower Road exit to gradually reduce the width of the hard shoulder on approach from Carrick on Suir, having regard to the number of incidents occurring, and to improve traffic safety at this location.~~

In 2006 as part of an NRA pilot programme a ‘2 plus 1 road’ scheme was implemented along the by-pass. The scheme generally consists of two lanes in one direction of travel and one lane in the opposite direction. The two-lane section, which provides a safe overtaking zone, alternates with a one-lane section at intervals of approximately 2 kilometers. The traffic streams are separated by a safety barrier system. On completion of the scheme a Stage 3 Roads Safety Audit was undertaken. Since the introduction of the 2+1 System the feedback from An Garda Siochana has been extremely positive.

However, since the introduction of the 2 plus 1 road scheme, a number of side impact incidents have occurred at the Tower Road junction. Following an analysis of the accident type/cause and subsequent discussions with the NRA a proposal was put forward to the National Road Authority for approval and funding.

On foot of the NRA approval this proposal was introduced in the summer of 2010 on a 12-month trial basis. The said proposal eliminates the hard strip which was used as a non-standard deceleration lane along the inside road edge, by vehicles exiting the main road, thus, removing the risk of obstructed visibility for vehicles exiting the minor road. In addition the wide hatched area along the outside road edge was also removed, thereby, eliminating the potential of vehicles overtaking left turning vehicles on the approach to the said junction. The combined effect has resulted in through-vehicles having to slow down behind left turning vehicles, thereby affording road users exiting onto the major road a better opportunity to assess the gap in traffic that is available to them.

Section 2.6.1.4 Pil River Corridor P-D-7 (x)

~~Objective H3 – To protect and where possible enhance the habitat of the Pil River, and its associated ecological corridors and habitats, as identified as PL1, PL2 & PL3 on Map 2. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate. Where a proposal is deemed likely to have a significant effect on the Pil River it shall be subject to an Appropriate Assessment.~~

Objective H3 –

(a) To protect and where possible enhance the habitat of the Pil River, and its associated ecological corridors and habitats, as identified as PL1, PL2 & PL3 on Map 2. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate.

(b) Any proposed developments that have the potential to impact on a Natura 2000 site will be subject to a project level appropriate assessment. No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

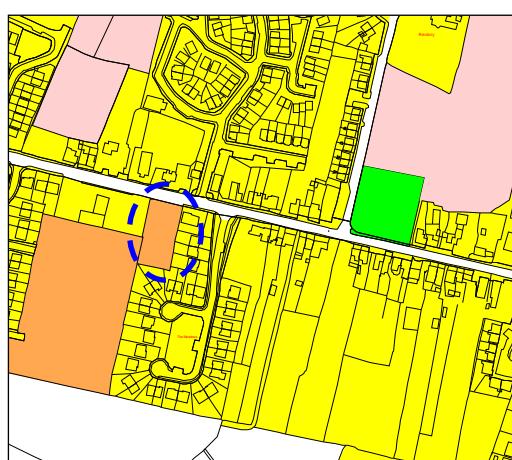
Section 2.7.6 River Walk & Tourism Potential P-D-7 (x)

Replace the word ‘should’ with ‘shall’ in the following sentence (p31) – ‘Any work carried out in the vicinity of the river ~~should~~ shall only be carried out in consultation with the Department of the Environment, Heritage and Local Government and Kilkenny County Council having regard to the designations in the area’.

Map 1

Zoning

Change zoning of a small area of land, between Nick Falvey and Sons Garage and The Meadows fronting onto the Main Street, from Residential to ‘Existing and General Development’.



Section 2.6.2.2 Record of Protected Structures

Amend second paragraph as follows:

Alterations which would *materially* affect the character of a protected structure ~~would~~ require planning permission and should be the subject of early consultation with Kilkenny County Council's Planning Section.

~~Conservation Officer and/ or the Architectural Heritage Advisory Unit or the Department of the Environment, Heritage and Local Government. Generally, all repair and maintenance works should be carried out on a ‘like for like’ basis and in accordance with the Architectural Heritage Protection Guidelines, (DoEHLG, 2004). In addition, the Council will assess any application for redevelopment or infill in the context of its contribution to the streetscape.~~

Further guidance is available in the *Kilkenny County Development Plan 2008-2014 – chapter 8*.

Figure 4 Areas identified as Benefitting Lands & Lands Prone to Flooding in Piltown
Change the area shaded black showing the extent of the benefitting lands to a hatched blue area as per the legend.

- Miscellaneous
- Remove word ‘Draft’ from Draft Regional Planning Guidelines 2004-2010, as they have been adopted, since publication of draft plan (pages 4 and 8).
 - Page 17, fourth paragraph ‘Kilkenny County Council carries out street cleaning in Piltown, which will continue on a *regular monthly* basis’.
 - Page 31, third paragraph replace (section<>) with (section 2.8.2.6)
 - Page 30 insert capital letters on words ‘it’ and ‘the’ at start of sentence in second and last paragraphs.
 - Page 19, objective T4 change ‘linkage between Piltown and Piltown’, to ‘linkage between Fiddown and Piltown’.
 - Typographical errors: page 8, second paragraph multi-units
 - Page 9, sixth paragraph ‘Phase 2 residential development, ~~and~~ will not be released during the lifetime of this plan; *and* . . .
 - Page 9, last paragraph – delete change ‘an’ to ‘a’ landscaped open space.

3.0 Proposed Material Alterations to Piltown Draft LAP Appropriate Assessment Screening Report

- Insert the following wording under the heading ‘Describe any likely impacts on the Natura 2000 sites as a whole in terms of: - interference with the key relationships that define the structure of the site; – interference with key relationships that define the function of the site’. (P-D-7-xi)

Developments in the plan area will be required to comply with the standards, policies and objectives of the plan. The plan contains policies and objectives to protect both designated sites and sites outside of designated areas; it is therefore not anticipated that developments in the plan area will have significant adverse effects on a Natura 2000 site.

- Insert the wording below under the heading ‘Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of: resource requirements (water abstraction etc.)’. (P-D-7-ix)

The Mooncoin Regional Water Supply Scheme will have a positive impact on the Fiddown-Piltown water supply scheme, which is currently at capacity. An Bord Pleanala approved groundwater abstraction from four well fields (reference 10.JA0009) subject to a number of conditions including a restriction of the maximum abstraction from the combined well-fields to 12,000 m³/day in order to safeguard groundwater in the area (condition 1) and imposed condition 3 on Kilkenny County Council to install hydrometric weirs to monitor the flow of the Blackwater and Pil rivers while abstraction is taking place, to establish a relationship between the surface water levels and the abstraction.

An application for an amendment to condition 1 was made in December 2009 which has not yet been decided (reference PL10.JM0003); the application for this amendment contains further information gained following well drilling and yield testing. It is requesting an increase in abstraction to 16,000m³/day. The report submitted to An Bord Pleanala (Mooncoin Regional Water Supply Scheme Results of Exploratory Well Drilling and Yield Testing - Submission To An Bord Pleanala) prepared by RPS consultants states ‘As a result of the wellfields abstracting, no groundwater gradients have been reversed other than in close proximity to the well-fields therefore the groundwater flow direction remains similar’; also ‘monitoring of surface water levels was undertaken in the Pil River during the multi-well test at Silversprings and in the River Blackwater during the multi-well test at Kilmacow. The flow monitoring indicated no impact on surface water flow on the River Blackwater or the Pil River during the multi-well tests which were carried out at significantly higher abstraction rates than proposed for the operation of the scheme at 16,000m³/d’ (p47). The EIS submitted relates to all phases of the scheme, from which the settlements of Fiddown and Piltown will benefit. The full impact of likely demand from Piltown and Fiddown was taken into account in the water supply demand, therefore implementation of the LAP will have no direct, indirect or secondary impacts.

- Insert the following at Step 3(a) Lower River Suir cSAC ‘Describe any likely changes to the sites arising as a result of – disturbance to key species’. (P-D-7-x)

There is potential for disturbance to designated species from proposed amenity actions in the plan; however the plan also contains a number of policies to ensure the protection of designated species, including the statement that ‘works within the aforementioned areas shall only be carried out in consultation with the Department of the Environment,

Heritage and Local Government and Kilkenny County Council having regard to designations in these areas'.

An amendment to the draft plan will include replacement of the policy H3 with an amended policy as follows:

Objective H3 –

(a) To protect and where possible enhance the habitat of the Pil River, and its associated ecological corridors and habitats, as identified as PL1, PL2 & PL3 on Map 2. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate.

(b) Any proposed developments that have the potential to impact on a Natura 2000 site will be subject to a project level appropriate assessment. No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

4.0 Proposed Material Alterations to Piltown Draft LAP Strategic Environmental Assessment Screening Report

- Insert the wording below under section 6.2 (ii) The cumulative nature of the effects: (P-D-7-ix)

The Mooncoin Regional Water Supply Scheme will have a positive impact on the Fiddown-Piltown water supply scheme, which is currently at capacity. An Bord Pleanala approved groundwater abstraction from four well fields (reference 10.JA0009) subject to a number of conditions including a restriction of the maximum abstraction from the combined well-fields to 12,000 m³/day in order to safeguard groundwater in the area (condition 1) and imposed condition 3 on Kilkenny County Council to install hydrometric weirs to monitor the flow of the Blackwater and Pil rivers while abstraction is taking place, to establish a relationship between the surface water levels and the abstraction.

An application for an amendment to condition 1 was made in December 2009 which has not yet been decided (reference PL10.JM0003); the application for this amendment contains further information gained following well drilling and yield testing. It is requesting an increase in abstraction to 16,000m³/day. The report submitted to An Bord Pleanala (Mooncoin Regional Water Supply Scheme Results of Exploratory Well Drilling and Yield Testing - Submission To An Bord Pleanala) prepared by RPS consultants states 'As a result of the wellfields abstracting, no groundwater gradients have been reversed other than in close proximity to the well-fields therefore the groundwater flow direction remains similar'; also 'monitoring of surface water levels was undertaken in the Pil River during the multi-well test at Silversprings and in the River Blackwater during the multi-well test at Kilmacow. The flow monitoring indicated no impact on surface water flow on the River Blackwater or the Pil River during the multi-well tests which were carried out at significantly higher abstraction rates than proposed for the operation of the scheme at 16,000m³/d' (p47). The EIS submitted relates to all phases of the scheme, from which the settlements of Fiddown and Piltown will benefit. The full impact of likely demand from Piltown and Fiddown was taken into account in the water supply demand, therefore implementation of the LAP will have no direct, indirect or secondary impacts.

- Replace part of the wording of section 1.5 (P-D-8-i-vi, P-D-7-vi)

~~In line with the Guidelines on Flood Risk Management, a staged approach has been adopted to the appraisal and assessment of flood risk. Stage 1 of this appraisal is Flood Risk Identification which includes a review of existing information. No Regional Flood Risk Appraisal has been carried out to date. A Strategic Flood Risk Assessment has not been carried out to date for the CDP, nor has a SFRA been carried out for the Piltown LAP previously.~~

~~The Office of Public Works (OPW) has identified the levels of existing flood risk in and around the River Suir and its tributaries. In co-operation with various Local Authorities within its catchment area, including Kilkenny County Council, the OPW are currently conducting a 'Catchment Flood Risk Assessment and Management (CFRAM) Study' of the entire catchment area which covers approximately 3,520km² including lands at Piltown.~~

~~The lands in Piltown are affected by flooding, as recorded on the Office of Public Works (OPW) National Flood Maps.~~

~~The 'Preliminary Report Pil River Drainage Study' carried out by Kilkenny County Council in December 2002 states:~~

~~The main problematic flooding area is located where the two tributaries of the Pil meet. This meeting point is located in the centre of Piltown village, just south of the Main Street and to the west of the Creamery Road. The Pil River is tidal and during periods of sustainable rainfall and high tides, the Pil River will burst its banks and flood the Main Street and Creamery Road areas of Piltown village and farmland south of the village to the River Suir, a distance of approximately 2.5km. A problem that is further aggravated by southerly winds.~~

~~Having conducted interviews with local residents and through our own records, taking a five year period from 1998-2002. The Pil River on average bursts its banks ten times per year.~~

~~There is no existing system specifically designed for stormwater disposal in Piltown.~~

~~The CDP requires a separation of surface water system from the foul drainage system. Surface water run off shall be restricted to pre development and consideration will be given to the use of Sustainable Drainage Systems (SuDS).~~

~~A policy is included in the Draft LAP stating that the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.~~

~~The following policies have been included in the plan in relation to drainage:~~

~~IN7 To seek separate stormwater systems for all developments, and to consider all proposals consistent with SuDS (Sustainable Drainage Systems).~~

~~IN8 Require that new development should not itself be subject to an inappropriate risk of flooding nor should it cause or exacerbate such a risk at other locations.~~

~~IN9 To require new development to demonstrate that it will not have a negative impact on the Pil River floodplains and to ensure that the banks of the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.~~

~~IN10 To require all significant developments impacting on flood risk areas to provide a Flood Impact Assessment, to identify potential loss of flood plain storage and how it would be offset~~

~~IN11 To investigate in conjunction with the OPW the causes of flooding in Piltown and to seek the necessary funding the remedial defence works required to prevent its reoccurrence in the future.~~

~~IN12 To remove the obsolete watermain under the bridge to improve river flow at this location.~~

~~In compliance with the Guidelines, as there is no potential flood risk identified within areas planned for growth, a full Flood Risk Assessment will not be required and the process can end at Stage 1. The avoidance principle of the sequential approach has been met.~~

In line with The Planning System Flood Risk Management Guidelines for Planning Authorities (2009) a Strategic Environmental Assessment Screening has been carried out for the Draft Piltown Local Area Plan, and contains Stages 1 & 2 of a Flood Risk Assessment; details of the Flood Risk Assessment are set out below:

Stage 1 - Flood Risk Identification.

This stage of the flood risk assessment identifies whether there may be any flooding or surface water management issues relating to the plan area that warrant further investigation. A number of sources of information were consulted at this stage including:

- *The South East Regional Planning Guidelines 2010-2022 and its associated Flood Risk Appraisal carried out as part of the SEA,*
- *Ordnance Survey Historical Mapping,*
- *Kilkenny County Development Plan 2008-2014,*
- *OPW National Flood Hazard Mapping and associated recorded reports and photographs,*
- *River Pil Preliminary Flood Risk Assessment,*
- *Interviews with local residents and public consultation,*
- *Water Matters – South Eastern River Basin Management Plan (2009-2015),*
- *EPA website soils dataset, created by the Spatial Analysis Unit Teagasc,*
- *OPW Report on Flooding Piltown County Kilkenny (February 2001).*

From these sources of information it is noted that there are two main areas of flooding in Piltown, both associated with the Pil River – on Main Street and on Creamery Road, and that flooding in these areas occurs several times per annum. Benefiting Lands have been identified by the OPW along the banks of the Pil River to the south and east of where it flows under the bridge on Main Street.

As a Flood Risk issue has been identified within the proposed development boundary the Flood Risk Assessment proceeds to Stage 2.

Stage 2 – Initial Flood Risk Assessment

The purpose of the initial FRA is to ensure that all relevant flood risk issues are assessed in relation to the decisions to be made and potential conflicts between flood risk and development are addressed.

A number of sources of information are not as yet available –

- (a) *the Department's guidelines were published after the adoption of the County Development Plan, and a county-wide FRA has not been prepared, and*
- (b) *the scoping of the CFRAMS for the Suir Catchment identified Piltown as an area of potential significant flood risk, however the results are not as yet available as the study is on-going and is expected to be completed in 2011.*

Although these sources are not currently available it is considered that the information from the sources outlined in Stage 1 provide adequate information to carry out the FRA.

Source – Pathway – Receptor Model

Source:

A number of sources combine to lead to multi-annual flooding on the Main Street and Creamery Road; the primary source is the Pil River which is tidal and reaches high levels where the two tributaries of the Pil meet, additional sources include spring tides, heavy rain-fall run-off and southerly winds causing high river levels.

Pathways:

Over-bank – the Pil River over-tops its banks and floods Main Street, Creamery Road and farmland south of the village.

Receptors: People & Property (Residential and Commercial)

The Preliminary Report Pil River Drainage Study focused on the period 1998-2002 and found that the river bursts its banks ten times per year; this figure could be broken down into two levels of flooding.

Level One flooding, typically occurs six times per year, and is least damaging and disruptive, with flooding to farmland and rear gardens.

Level Two flooding occurred, on average four times per year, with high levels of flooding lasting up to two to three days during which roads would be impassable. During the period 1998-2002 eight residential and four commercial properties were affected by level two flooding; with damage ranging from ground floor flooding of

private dwellings, flooding of commercial store areas/ working platforms, gardens and a substantial amount of farmland.

Some clearing of the Pil River channel has been carried out by local residents, which has helped somewhat, but flooding still occurs a number of times per year.

An objective of the draft plan to remove an old service pipe that may have been causing obstruction of flow under the bridge has been carried out.

The Council has carried out a Preliminary Pil River Drainage Study. Flood defences have not been erected in Piltown, and flood control is dependent on the banks, floodplain and surface water pipes not being blocked along with the effective working of the effluent treatment plant.

It is likely that flooding will occur on the Main Street and Creamery Road.

Main Street – flooding on Main Street is mainly limited to occurring on a low-point of the road at its junction with the Tybroughney Road, extending eastwards toward the recycling centre and west-wards towards Powers Villas. The dwelling on the junction, is directly affected by the flooding. Two dwellings near the junction along the road edge have been demolished in recent years. Access is disrupted for dwellings along the Tybroughney Road.

Creamery Road – flooding on Creamery Road primarily affects the Glanbia premises.

Sequential Approach

The Draft LAP for Piltown has been prepared having regard to the flood risk issues in the plan area. A number of steps have been taken to lessen the impacts of flooding in the plan area and the Sequential Approach has been adapted as follows:

- **Avoid**

De-zoning - two large areas of land have been de-zoned to the south of the plan area, including lands formerly zoned for residential development in Banagher and lands formerly zoned for Community Facilities in Kildalton; both of these areas adjoin the banks of the Pil River.

Phase 2 – a total area of 13.54ha have been proposed as Phase 2 development lands, that is lands that will not be released for development within the life of the proposed plan, a substantial area of these lands adjoin the open space zoning along the Pil River.

- **Substitute**

Zoning – a habitat assessment was carried out by consultants as part of the research for the plan; the assessment identified ecological network areas, primarily located along the Pil River and its floodplain and these have been designated as ecologically important and have been primarily designated as open space, or as Phase 2 lands (land uses within the open space area will be subject to ecological assessment in accordance with the policies in the plan to ensure the ecological integrity of the area is maintained). In addition a heritage map shows the Ecological Networks as designated areas for protection from inappropriate development.

- **Justify**

Residential Zoning – to provide for future growth during the life of the plan, lands which have existing planning permissions have been zoned for residential development, in addition lands within the town centre have been zoned for ‘Existing and General Development’ to allow small areas of infill schemes.

Existing and General Development - where there are existing land uses such as residential or commercial uses within ecological network areas and areas prone to flooding these lands have been zoned for ‘Existing and General Development Uses’.

The following policies and objectives have been included in the Draft Plan:

- **IN7 – to seek separate stormwater systems for all developments, and to consider all proposals consistent with SuDS (Sustainable Drainage Systems).**

- IN8 – Require that new development should not itself be subject to an inappropriate risk of flooding nor should it cause or exacerbate such a risk at other locations.
- IN9 – To require new development to demonstrate that it will not have a negative impact on the Pil river floodplains and to ensure that the banks of the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.
- IN11 – To investigate in conjunction with the OPW the causes of flooding in Piltown and to seek the necessary funding for the remedial defence works required to prevent its re-occurrence in the future.

It is not anticipated that the proposed zonings will exacerbate flooding; however it is proposed to strengthen policy IN10 and re-word it as follows:

New policy IN10 - Development proposals for lands in areas affected by flooding, particularly those on Creamery Road and proximate to the junction of Main Street with Tybroughney Road, may be required to carry out a Stage 3 Detailed Flood Risk Assessment and detailed explanation of how the Justification Test has been met in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

Delete IN10: To require all significant developments impacting on flood risk areas to provide a Flood Impact Assessment, to identify potential loss of flood plain storage and how it would be offset.

Justification Test

Piltown is a designated ‘Small Town/ Village’ as per the County Kilkenny Settlement Strategy as set out in the Kilkenny County Development Plan, in line with the South East Regional Planning Guidelines.

As set out above, the proposed zoning has been considered in line with the proper planning and sustainable development of the area.

The lands where a residual flood risk exists have where possible been de-zoned, zoned for open space, or have existing residential or commercial uses, are under-utilised or derelict and are within the core area of Piltown; potential infill sites or sites for new residential development have not been identified in areas at risk of flooding.

A Stage 2 Flood Risk Assessment has been carried out, using information from a number of sources, and policies are proposed that will require (a) proposed developments to be consistent with SuDS, (b) that development will not cause flood risk at other locations and (c) that a Stage 3 FRA and Justification Test may be required for proposed development in areas at risk of flooding.

Stage 3 – Detailed Flood Risk Assessment

Stages 1 and 2 of the Flood Risk Assessment have identified the sources, pathways and receptors of flood risk in the Draft Piltown LAP. The Sequential Approach has been followed to ensure that development is directed towards areas that are at a low risk of flooding. The Justification Test has been used to assess the appropriateness of the zoning of ‘Existing and General Development’ in areas at risk of flooding. Mitigation measures in the form of pro-active policies and objectives are proposed in relation to flooding in the plan area. Having regard to the fore-going it is not considered necessary to proceed to Stage 3 Detailed Flood Risk Assessment with regard to the proposed Piltown Local Area Plan.