



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

29th September 2026

Planning Department,
Kildare County Council,
Áras Chill Dara,
Naas,
County Kildare,
W91 X77F.

**Re: Proposed Variation No. 7 (Monasterevin Settlement Plan) of the Kildare
County Development Plan 2023-2029 (as varied)**

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 7
(proposed Variation) of the Kildare County Development Plan 2023-2029
(Development Plan).

As Kildare County Council (Planning Authority) is aware, a key function of the Office
of the Planning Regulator (Office) is to evaluate and assess statutory plans to ensure
consistency with legislative requirements and national and regional planning policy.
The Office has undertaken this evaluation and assessment pursuant to Part 3 of the
Planning and Development Act 2024 (Act) and its functions under section 546, and
this submission sets out the outcome.

In this context, submissions may include recommendations and observations.
Recommendations arise where the Office identifies clear inconsistencies with
legislative provisions or policy frameworks and are intended to be addressed to
ensure compliance. Observations highlight areas where further clarification,
justification, or refinement would strengthen the plan. The submission may also
include advice to support the proper planning and sustainable development of the
area.

Following adoption of the Variation, the Office will carry out a further assessment under section 63 of the Act.

1. Overview

The Monasterevin Settlement Plan has been prepared by way of a statutory variation to the Development Plan under section 58 of the Act and in accordance with Policy Objective CS 09 of the Development Plan.

The Office commends the extensive work carried out by the Planning Authority including the preparation of a Social Infrastructure Audit, Local Transport Plan (LTP) and Monasterevin Architectural Conservation Area (ACA) Statement of Character which have been prepared alongside the necessary statutory environmental screenings and reports. The preparation of the ACA Statement of Character, for instance, has allowed for the special character of the town to be assessed leading to a recommendation that the boundary of the ACA should be extended to include a number of key structures, former industrial complexes, landscape and infrastructure features which are central to the character of the historic core and its future economic potential.

The Office also notes and welcomes the measure to support the delivery of the Monasterevin Active Travel Scheme, which is a central component of the LTP and represents a key step towards encouraging a shift away from private car use towards walking and cycling.

The Planning Authority has also demonstrated a strong commitment to delivering the strategic objectives of the plan by directing the majority of new housing development to the existing built-up footprint of the town. This approach supports a more efficient and sustainable pattern of growth while making best use of existing infrastructure and services.

The plan also provides a robust framework for the regeneration and productive reuse of vacant, underutilised and backland sites, strengthening the urban structure of Monasterevin and enhancing its role as an attractive location for investment, enterprise, retail, hospitality and tourism. Such measures will be important in supporting the long-term vitality and resilience of the town.

The Office has, however, identified one issue which should be addressed to ensure material consistency with the objectives of the National Planning Framework First Revision (2025) and the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly, and in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines).

Subject	Recommendation	Observation
Flood risk management	Recommendation 1	-

2. Flood risk management

The Office welcomes the preparation of a comprehensive Strategic Flood Risk Assessment (SFRA) and acknowledges that the Planning Authority has sought to implement and embed the Flood Guidelines into the proposed Variation. The Office also commends the preparation of the Surface Water Management Plan for Monasterevin, which sets out a framework for the delivery of Sustainable urban Drainage System to manage surface water within the plan area.

Notwithstanding the above, the Office notes that the Industry and Warehousing zonings H(2) and H(3) at Cowpasture is mainly within Flood Zone B. Furthermore, future scenario mapping indicates a considerable increase in the extent of the 1% AEP flood events as a result of climate change. The SFRA acknowledges that these lands are not located within or adjacent to the core of the settlement. As stated within section 3.10.1 and table 3.7 of the SFRA, highly vulnerable development would be considered inappropriate in Flood Zone B, whereas less vulnerable development might be considered appropriate. Although an industry and warehousing zoning would generally be considered a less vulnerable development, the Land Use Zoning Matrix (table 10.4 of the variation) indicates that uses open for consideration within this zoning include community facilities, a childcare facility and a fire station. These types of uses are classified as highly vulnerable development and would not be appropriate in Flood Zone B unless the sequential approach has been applied, and all of the criteria for a Plan Making Justification Test (Justification Test) have been passed in accordance with the Flood Guidelines.

In relation to the lands at Cowpasture, it has not been satisfactorily demonstrated that the development of the lands for highly vulnerable development cannot be avoided or substituted in accordance with the Flood Guidelines' sequential approach, and the assessment under Criteria 2, and in particular Criteria 2(v), of the Justification Test carried out in the SFRA does not specifically address itself to the high vulnerable uses facilitated under the zoning objective. While the SFRA states that any development within the areas of flood risk zones should include measures to mitigate flood risk and recommends that the future development of these areas should be subject to a Site-Specific Flood Risk Assessment (SSFRA), the requirement for a future SSFRA does not address whether highly vulnerable development is appropriate at the plan-making stage.

Similar issues arise in relation to the Moore Abbey Masterplan. Approximately one fifth of the area is located within Flood Zone A (Map Ref: V2-MN-9.2). Table 3.7 and section 3.10.1 of the SFRA state that most types of development would be considered inappropriate in Flood Zone A. Given the Flood Guidelines' sequential approach, lands located in Flood Zone A should not be identified for development, and only water-compatible development should be facilitated in these areas.

However, the accompanying Land Use Zoning Matrix indicates that a childcare facility, fire station, group/older persons and special needs housing, guest house/hotel/hostel, residential unit(s) would all be permitted in principle here despite being highly vulnerable developments, with a school, medical centre and utility structures all open for consideration within this zoning. The Office notes that the proposed Variation seeks to address flood risk on the masterplan lands through Objective MAO 10.1, which requires the preparation of a SSFRA and provides that only water compatible uses be proposed on lands identified as at risk of flooding.

However, the Flood Guidelines make it clear that lands at risk of flooding should not be zoned for inappropriate development unless the sequential approach has been applied and the Justification Test has been passed. These requirements must therefore be addressed at the plan-making stage and cannot be deferred to a future SSFRA at the development management stage.

Accordingly, in relation to the Moore Abbey Masterplan the Office recommends that Objective MAO 10.1 be amended to explicitly restrict the lands identified as being at

risk of flooding (Flood Zone A) in the Strategic Flood Risk Assessment Map Ref. V2-MN-9.2 to water-compatible development only.

Similarly, in relation to the Cowpasture lands, the Office recommends the inclusion of measures to ensure that highly vulnerable development is not facilitated within Flood Zone B areas unless it can be demonstrated that the sequential approach has been applied and that a Justification Test has been satisfied for the development concerned.

Recommendation 1 - Flood Risk Management

Having regard to and having considered:

- NPO 78 of the NPF (in relation to flood risk management);
- RPO 7.12 of the RSES (to avoid inappropriate land use zonings and development in areas at risk of flooding);
- Policy Objective IN O31 of the Kildare County Development Plan 2023-2029 (to manage flood risk in the county in accordance with the sequential approach and requirements of The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) when preparing plans); and
- the Flood Guidelines,

the Office recommends that the Planning Authority:

- (i) ensure that the Industry and Warehousing zonings H(2) and H(3) zoning objectives at Cowpasture do not facilitate highly vulnerable development within the Flood Zone B areas unless the sequential approach has been applied and a Plan Making Justification Test has been satisfied for those uses in accordance with the Flood Guidelines; and
- (ii) amend Objective MAO 10.1 to explicitly restrict the Moore Abbey Masterplan lands identified as being at risk of flooding in Strategic Flood Risk Assessment Map Ref. V2-MN-9.2 to water-compatible development only in accordance with the Flood Guidelines. Alternatively, those parts of

the lands in Flood Zone A or B should not be zoned for highly vulnerable development or lands in Flood Zone B for less vulnerable development.

The Planning Authority should liaise with the Office of Public Works to address this recommendation.

3. Summary

The Office requests that the Planning Authority addresses the recommendation set above.

As part of this process, the Chief Executive's report to the elected members, prepared under section 58(11) of the Act should summarise the Office's recommendation and outline how it is proposed to address it.

Following adoption of the Variation, the Planning Authority is required to:

- provide the Office with a copy of the adopted Variation, together with any submissions received from the Minister, regional assemblies, and the National Transport Authority during the plan preparation process, within **one week** of adoption;
- inform the Office, **as soon as practicable**, where it decides not to comply with a recommendation, including the reasons for this decision; and
- publish notice of the Variation within **one week** of adoption, confirming that the Development Plan as varied will be available for inspection (online and at a specified location) no later than **five weeks** after adoption.

The Office looks forward to continued constructive engagement with the Planning Authority. If further clarification or discussion would be helpful, the Office would be pleased to assist and can be contacted at plans@opr.ie.

Is mise le meas,

A handwritten signature in dark ink, appearing to read 'AM O'Connor'.

Anne Marie O'Connor

Deputy Regulator and Director of Planning Policy Implementation

Designated Public Official under the Regulation of Lobbying Act 2015
