

27th June 2025

Senior Planner,
Kilkenny County Council,
John Street,
Kilkenny.

**Re: Proposed Variation No. 5 to the Kilkenny City and County Development Plan
2021-2027 - Castlecomer Settlement Plan**

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 5 (the proposed Variation) to the Kilkenny City and County Development Plan 2021-2027 (the County Development Plan).

As Kilkenny County Council (the Planning Authority) is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the proposed Variation under the provisions of sections 31AM(1) and (2) of the Planning and Development Act 2000, as amended (the Act) and this submission has been prepared accordingly.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, planning authorities are requested to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. Planning authorities are advised by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. Planning authorities are requested by the Office to give full consideration to the advice contained in a submission.

On adoption of the Variation, the Office will consider whether the plan has been made in a manner consistent with the recommendations of the Office and whether the plan sets out an overall strategy for the proper planning and development of the area concerned.

Overview

The Office welcomes the preparation of the proposed Variation which includes: a new Settlement Plan for Castlecomer, associated zoning map; and text changes to the County Development Plan to align it with the Specific Planning Policy Requirements (SPPRs) of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) as relevant.

The proposed Variation would result in an additional Volume being created for the County Development Plan, Volume 3 consisting of settlement plans. Volume 3, for the moment, would only include a settlement plan for Castlecomer.

With respect to the Castlecomer Settlement Plan (the Settlement Plan), the Office welcomes the approach taken by the Planning Authority to focus on the consolidation of the town core while also identifying the Key Development Sites for future growth within the settlement boundary. The identification of the connectivity and permeability improvements across the plan area are also welcomed especially given the dominance of the N78 in the town.

The Office welcomes: the focused tourism policy objectives to support the future expansion of Castlecomer Discovery Park; the support of the Discovery Park Masterplan (2024); and the associated transport improvements to enhance linkages between the park and the town.

Water supply is severely constraining development of the town, with only one Part 8 housing scheme of 33 units completed during the life of the previous Castlecomer Local Area Plan 2018-2024 (previous Local Area Plan). The Settlement Plan and its land

activation measures are therefore critical to Castlecomer achieving its population targets set down in the County Development Plan's core strategy.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within the above context that the submission sets out three [3] recommendations and two [2] observations under the following key themes:

Key theme	Recommendation	Observation
Residential land supply	Recommendation 1	-
Transport	Recommendation 2	-
Flood risk management	Recommendation 3	-
Key Development Sites	-	Observation 1
Tourism	-	Observation 2

1. Consistency with Development Plan and Core Strategy

The core strategy of the County Development Plan provides for a population increase of 264 persons with a requirement for 93 housing units and 4.65 ha of residential land for Castlecomer over the 2016-2027 plan period (see table 4.6 of the County Development Plan).

While the Office recognises the quantum of zoned residential lands exceeds the housing land required to meet population and housing targets as set out in the County Development Plan's core strategy, the Office accepts that the residential sites are well-located in terms of proximity to the town centre, at locations where they support compact growth and where they adopt the sequential approach. Careful consideration should therefore be given to the introduction of additional zoning by way of material alterations, particularly where the land in question is peripherally located and non-sequential in terms of zoned or undeveloped land closer to the town centre.

1.1 Residential land supply

For Small to Medium Sized Towns (1,500-5,000 population), the Compact Settlement Guidelines state that the central areas of small to medium sized towns should 'respond positively to the scale, form and character of existing development, and to the capacity of services and infrastructure'. For the edge of these towns, it is a policy and objective of the

Compact Settlement Guidelines that densities in the 'range 25 dph to 40 dph (net) shall generally be applied'.

The Barracks/Parish lands are zoned Low Density Residential - 3.1ha. The zoning objective for Low Density Residential is set down in the County Development Plan where a maximum residential is five dwellings to the acre (12.5 units / ha). However, the Settlement Capacity Audit, which accompanies the Settlement Plan utilised a minimum density of 15 units / ha for this land use. As noted above, the proposed Variation must be consistent with the County Development Plan, and the Planning Authority should avoid a scenario where there are potential conflicts within the County Development Plan.

Further, the Office is concerned that this site, which is located within the Settlement Plan boundary, adjoining the secondary school and near the town centre and its associated services is provided with a density that does not comply with the Compact Settlement Guidelines and is unjustifiably low. Additionally, this development will be subject of a masterplan and once the water issues are resolved for the town, the site's potential to consolidate development in the centre should be supported. As such, the Office recommends that the Planning Authority rezone the Barracks/Parish lands from Low Density Residential to New Residential, to support national and regional objectives for compact and sustainable growth.

Recommendation 1 – Residential Land Supply

Having regard to the provision of a sufficient supply of zoned lands to support compact and sustainable growth and in particular to:

- NPO 9 of the Revised NPF and RPO 35 of the RSES for compact growth;
- NPO 43 of the Revised NPF to prioritise the provision of new homes at locations that can support sustainable development;
- NPO 45 of the Revised NPF and RPO 165 of the RSES for increased residential density and more compact forms for development; and
- section 3.9 of the Development Plans, Guidelines for Planning Authorities (2022),

the Office recommends that the Planning Authority:

- (i) rezone The Barracks/Parish lands (3.1ha) from Low Density Residential to New Residential; and
- (ii) review the densities utilised in the Settlement Capacity Audit for the Low Density Residential zoning to ensure consistency with the policies and objectives of the Kilkenny City and County Development Plan 2021-2027.

2. Transport

The Office welcomes the preparation of the Transport Assessment for Castlecomer, which includes a review the Castlecomer Mobility Management Plan (2023). This has the potential to deliver an integrated approach to land use planning for Castlecomer, evident in the removal of the Industrial zoned lands, to the northeast of the town, opposite the former Brick factory on N78, from the previous Local Area Plan.

The N78, a national road, traverses through the centre of the town, and is part of the strategic national road network, providing important regional and inter-regional linkages. Section 2.5 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) (National Roads Guidelines) states that it should be the policy of the planning authority to avoid the creation of any additional access points from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply. RPOs 140, 151 and 153 of the Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly (SRA) area focus on protecting the strategic transport function and safety of national roads.

There are three land banks that all adjoin sections of the N78 where 80 km/h speed limits apply, and the Settlement Plan proposes policies/objectives which conflict with these policies:

- Discovery Park: two enhanced N78 entrances are proposed;
- Industrial Zoned Lands: Castlecomer Business Park and the undeveloped Industrial zoned lands to the north (two land parcels) and its associated proposed Objective KR1; and
- former Brick factory: zoned as Agriculture, with the Settlement Plan seeking its reuse under proposed Objective V3CC2.

While it is acknowledged that section 12.11.3 of the County Development Plan refers to the National Roads Guidelines and that the Settlement Plan includes references to this plan policy specifically for Castlecomer Business Park, the Office considers that the Planning Authority should review the zoning of the undeveloped Industrial zoned lands to the north of Castlecomer Business Park to protect the national road network from inappropriate new access points or intensification of existing accesses. The same point applies for the proposed two entrances from the Discovery Park onto the N78.

Additionally, the Office advises the Planning Authority to consult with Transport Infrastructure Ireland regarding the wording of Objective KR1 and Objective V3CC2 to ensure policy compliance.

Recommendation 2 – Transport

Having regard to the need to maintain the capacity and safety of the strategic road network and, in particular:

- RPO 140 of the RSES to maintain the strategic capacity and safety of the national roads;
- RPO 151 of the RSES providing guiding principles for the integration of land use and transport and for the strategic transport function of national roads to be protected;
- RPO 153 of the RSES regarding protecting, improving and maintaining the national road connections within cities;
- sections 2.5 and 2.6 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012), in respect of the policy approach for access to national roads; and
- section 12.11.3 of the Kilkenny City and County Development Plan 2021-2027,

the Office recommends that the Planning Authority review and amended the wording of Objective KR1 and Objective V3CC2 and include policy objectives and/or site specific objectives to protect the national road network from inappropriate new access points and the intensification of existing accesses onto or adjacent to national roads in respect of the lands at:

- (i) Discovery Park;
- (ii) undeveloped industrial zoned lands to the north of Castlecomer Business Park; and
- (iii) Castlecomer Business Park.

The Planning Authority should consult with Transport Infrastructure Ireland in respect of this recommendation.

3. Flood risk management

The Office welcomes the preparation of the Strategic Flood Risk Assessment (SFRA) to inform the policies and objectives of the draft Settlement Plan.

There are, however, some errors within the SFRA which have been identified by the Office of Public Works (OPW) in its submission, including:

- the SFRA utilises supersede datasets and includes links to websites which are no longer operational;
- the SFRA should overlay the Flood Zones A and B on the land use zoning map; and
- the Plan Making Justification Test for the eight sites/areas have not been carried out in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) and passes the risk onto Development Management.

As such, the Office recommends the Planning Authority to review and amend accordingly. The Planning Authority is advised to actively engage with the OPW on these matters.

Recommendation 3 – Flood Risk Management

Having regard to flood risk management, and in particular to:

- NPO 78 of the Revised NPF to promote sustainable development by ensuring flooding and flood risk management informs place making;
- RPO 114, RPO 115 and RPO 116 of the RSES to incorporate flood risk management into the planning system; and
- the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines),

the Office recommends that the Planning Authority revise the Strategic Flood Risk Assessment (SFRA) and proposed Variation to:

- (i) utilise the correct data sets for determining the flood extents;
- (ii) overlay the Flood Zone A and B on the land use zoning map; and
- (iii) review and amend the SFRA to ensure that the Plan Making Justification Test (Justification Test) is fully consistent with the Flood Guidelines with respect to whether the Justification Test criteria has been satisfied, and whether specified mitigation measures can effectively reduce the risks to an acceptable level while not exacerbating flood risk elsewhere. Any zoning objective for highly vulnerable development (Flood Zone A or B) or less vulnerable development (Flood Zone A) that does not pass the Justification Test in accordance with the Flood Guidelines should be omitted from the adopted Variation.

The Planning Authority should consult the OPW in addressing this recommendation.

4. Key Development Sites

Five key areas have been identified as Key Development Sites:

1. Former Creamery site;
2. The Barracks/Parish lands;
3. The Boys school site;
4. The Square; and
5. East of Kilkenny Street.

The first three sites are undeveloped lands with development potential. Sites 4 and 5 relate to existing developed areas in the town, where greater permeability and connectivity is sought.

The Office welcomes the identification of these zones and the inclusion of maps and clear development objectives for the sites. The maps would benefit from the inclusion of street names and identifying the indicative pedestrian/cycle/vehicular connections. Additionally, in the interests of clarity, a table setting out the site areas, densities and indicative housing yield would also be useful for the Key Development Sites.

Observation 1 – Key Development Sites

Having regard to section 4.2 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) the Planning Authority is advised to:

- (i) identify on the Key Development Sites maps in section 1.12 of the Settlement Plan, the indicative pedestrian/cycle/vehicular connections and the pertinent street names; and
- (ii) provide a table setting out the site areas, densities and indicative housing yield for the following Key Development Sites:
 - a) Former Creamery site;
 - b) The Barracks/Parish lands; and
 - c) The Boys school site.

5. Tourism

The proposed Variation seeks to insert a new section chapter 5 - Economic Development of the County Development Plan (section 5.3.3a). The new section relates to the promotion, enhancement and expansion of the Castlecomer Discovery Park and refers to a Discovery Park Masterplan (published in 2024). This Masterplan sets out the long-term plan for the expansion and enhancement of the Discovery Park. The Office considers in the interests of clarity, that a link to the Masterplan should be included in proposed section 5.3.3a of this Variation.

Observation 2 – Tourism

Having regard to Objective 5C and section 5.3, Chapter 5 of the Kilkenny City and County Development Plan 2021-2027 the Planning Authority is advised to include a link to the Discovery Park Masterplan (2024) in proposed section 5.3.3a of the adopted Variation.

Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 13 of the Act must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the Planning Authority in relation to the proposed Variation. Where your authority decides not to comply with the recommendations of the Office or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the Chief Executive shall inform the Office and give reasons for this decision.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

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

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015