



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

2nd April 2026

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

Re: Proposed Variation No. 8A to the Kilkenny City & County Development Plan 2021

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 8A (proposed Variation) to the Kilkenny City & County Development Plan 2021 (City and County Development Plan).

As Kilkenny County Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (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 pursuant to Part 3 of the Planning and Development Act 2024 (Act) and its functions under section 546 and this submission has been prepared accordingly.

Recommendations issued by the Office further to section 58(9) of the Act relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government. 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 issued by the Office pursuant to section 546 of the Act may take the form of a request for further information or justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are considered necessary to ensure alignment with policy and legislative provisions. Planning authorities are requested by the Office to action an observation.

A submission can also 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 assess it in accordance with the statutory framework in section 63 of the Act.

Overview

The proposed Variation includes a number of changes to the City and County Development Plan with regard to the implementation of the NPF Implementation: Housing Growth Requirements (2025) (Housing Growth Guidelines) including:

- amendments to the core strategy to reflect the Housing Growth Guidelines in relation to Kilkenny City;
- policy amendments including zoning objectives and development requirements for land parcels at Breaghagh Valley; and
- proposed rezoning of lands to facilitate additional residential development.

The Office welcomes the integration of revised housing growth requirements for Kilkenny City in the City and County Development Plan including rezoning strategic reserve lands in identified areas of growth for housing delivery.

The Office considers that the requirements of both Policy and Objective 1 and 2 of the Housing Growth Guidelines are achieved by the proposed Variation which focuses the delivery of compact and sequential patterns of growth, materially consistent with NPO 7 of the National Planning Framework First Revision (2025) (NPF) and provides a clear direction for housing delivery in Kilkenny City.

The Office welcomes the infrastructure assessment accompanying the proposed Variation which demonstrates an evidence-based approach to the rezoning of lands and that the relevant services will be available to support housing development.

With regard to the new zoning objectives and development requirements for lands at Breaghagh Valley, the Office is satisfied that these provide a coherent framework for the

growth of this area of Kilkenny City providing for the delivery of new housing with recreational and neighbourhood uses.

In relation to flood risk the Office welcomes the preparation of the Strategic Flood Risk Assessment (SFRA) and advises the Planning Authority to further consider potential climate change risks as part of the assessment, in addition to providing guidance on the likely applicability of different Sustainable urban Drainage Systems (SuDS) techniques for managing surface water run-off at key development sites such as the lands at Breaghagh Valley.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within this context that the submission below sets out one (1) observation under the following theme:

Key theme	Recommendation	Observation
Flood risk management	-	Observation 1

1. Flood risk management

The Office welcomes the preparation of the of the SFRA to inform the proposed Variation and recognises that no site proposed to be rezoned, as part of the proposed Variation, is located within either Flood Zone A or B.

Given the sites identified in the SFRA as SR5 Loughmacask, SR6 Breaghagh Valley, OS1 The Butts and NC1 Breaghagh Valley are adjacent to identified flood zones, the Office advises further consideration of potential climate change risks and associated mitigation measures, beyond that included at section 2.1 of the SFRA, as part of the assessment. The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) recommend a precautionary approach to climate change be applied with advice on the expected impacts of climate change and the Office of Public Works' Flood Risk Management Climate Change Sectoral Adaptation Plan (2025) provides advice on allowances to be provided for future flood risk management.

The Office also considers that the proposed Variation provides an opportunity to provide integrated and area based SuDS and green infrastructure to avoid reliance on individual site by site solutions, particularly in respect of key development sites such as lands proposed to be rezoned at Loughmacask and Breaghagh Valley. The Flood Guidelines

recommend that the SFRA provides guidance in this regard and LAWPRO publication: Implementation of Urban Nature-based Solutions, Guidance Document for Planners, Developers and Developer Agents (2025) provides useful guidance.

Observation 1 - Flood risk management

Having regard to:

- NPO 77 of the NPF to integrate sustainable water management solutions and nature-based solutions;
- NPO 78 of the NPF to take account of potential impacts of climate change on flooding and flood risk;
- RPO 116 of the RSES to include consideration of potential impacts of flood risk arising from climate change and integrate sustainable water management solutions; and
- Planning System and Flood Risk Management Guidelines for Planning Authorities (2009),

the Planning Authority is advised to amend the Strategic Flood Risk Assessment to:

- (i) take account of potential climate change risks and associated mitigation measures, in relation to sites SR5 Loughmacask, SR6 Breagagh Valley, OS1 The Butts and NC1 Breagagh Valley and outline how potential future risk has been considered; and
- (ii) incorporate integrated and area-based provision of Sustainable urban Drainage Systems and green infrastructure to key development sites in order to avoid reliance on individual site by site solutions.

Summary

The Office requests that your authority addresses the observation outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 58(11) of the Act must summarise any recommendations and how the Chief Executive proposes to address them.

Where a planning authority makes a variation, it is required to notify the Office **within one week** of the decision to adopt the variation. Where an authority decides not to comply with the recommendations of the Office, then it shall inform the Office as soon as practicable and provide reasons for the decision not to so comply.

Your authority is also required to send the Office a copy of the Variation and any submissions made by the Minister, the relevant regional assembly and the National Transport Authority during the Variation preparation process.

Please be advised that planning authorities are also required to publish notice of the Variation within a week of the adoption, stating that a copy of the County Development Plan as varied will be available for inspection on a website and at a place specified in the notice no later than five weeks after the date of adoption.

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.

Is mise le meas,

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015

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