



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

20th May 2026

Senior Executive Office,
Planning Department,
Kildare County Council,
Áras Chill Dara,
Naas,
Co. Kildare.

**Re: Proposed Variation No. 6 (Sallins 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. 6 (Sallins Settlement Plan) (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 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 Sallins 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 O9 of the Development Plan. It will replace the Sallins Local Area Plan 2016-2022 as there is no longer a legislative provision for local area plans under the Act.

The Office commends the extensive work carried out by the Planning Authority including the preparation of a Settlement Capacity Audit (SCA), Social Infrastructure Audit and a Surface Water Management Strategy alongside the necessary statutory environmental screenings and reports. The Planning Authority's examination of the settlement's unique landscape and development characteristics and requirements has allowed for locally tailored and site-specific provisions and objectives to emerge. The SCA, for instance, builds on the presence of excellent social infrastructure facilities in the area and identifies the additional requirements over the plan period and beyond. This includes the reservation of two sites for an additional primary school and a new post-primary school along the Sallins Link Road.

In particular, the Office welcomes and supports the proposed Variation's strong emphasis on the regeneration of Sallins. Noteworthy is the Home Farm House Key Development Area which will bring vitality to the town centre, with the regeneration of the Old Post Office Square, as a civic space, resulting in the sensitive restoration of Home Farm House as well as bringing about further public realm improvements.

In terms of economic development and employment, the Office notes and welcomes that the Planning Authority is proposing to use a variety of measures to address the issue of the target job ratio in Sallins being considerably lower than that recommended in the

Development Plan. One such measure is the zoning of the significant Bodenstown Employment Area. As part of the Sallins-Naas-Newbridge Economic Cluster, it has a high-quality connectivity to the regional and national transport network and has the potential to meet the identified sectoral growth opportunities.

Notwithstanding the above, the Office makes one recommendation regarding flood risk management at Osberstown.

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 the submission below sets out one (1) recommendation under the following key theme:

Key theme	Recommendation	Observation
Flood risk management	Recommendation 1	-

1. Flood risk management

The Office welcomes the preparation of a comprehensive Strategic Flood Risk Assessment (SFRA) which has been carried out in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines). The Office acknowledges that the Planning Authority has sought to implement and embed the Flood Guidelines into the proposed Variation. However, the Office notes that approximately half of the Agricultural zoning at Osberstown is located within Flood Zone A. Table 5.1 and section 6.2.1 within the SFRA state that this is an inappropriate use in Flood Zone A. Given that Agriculture is classified as a less vulnerable development within the Flood Guidelines and that this land is on the periphery of the settlement, it is considered that it would not pass the Plan Making Justification Test. It would appear that there are also two detached residential properties within this locality. The Planning Authority should therefore reassess this zoning and ensure that only water-compatible or minor development is located in the affected area.

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 O33 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 Offices recommends that the Planning Authority reassesses the Agricultural zoning at Osberstown and ensures that only water-compatible or minor development is located in the Flood Zone A area.

2. Procedural and other matters

Map Ref. V2B-8.1 illustrates the movement and active travel measures contained within table 8.2 of the proposed Variation. There is however a legibility issue when reading the map, given the colouring of the key. For example, due to the use of two shades of yellow it is unclear whether it is the Planning Authority's intention for the Indicative Eastern Spine bus route (PT5) to continue over the proposed sustainable travel modes bridge (p.18) and, due to the faintness of the colouring of the proposed shared street improvement, it is difficult to identify its location/s. To avoid confusion, the map and written documentation should also use consistent terms when referring to the various transportation measures. Consequently, the Planning Authority may wish to review this information prior to the adoption of the proposed Variation.

Summary

The Office requests that your authority addresses the recommendation 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 the recommendation and how the Chief Executive proposes it should be dealt with.

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 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,



Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015
