

An  
Bord  
Pleanála

**Board Direction**  
**BD-017334-24**  
**ABP-318624-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/08/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

1. It is considered that the development proposed to be retained and proposed development would endanger public safety by reason of traffic hazard because the site is located alongside the heavily trafficked National Secondary Road N80 at a point where a speed limit of 100 km/h applies and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the public road. Furthermore, the development proposed to be retained and proposed development would also contravene the objectives of the planning authority, as set out in the Laois County Development Plan 2021-2027 Objective TRANS 17, to avoid the creation of any new direct access points from development or the generation of increased traffic from existing direct access/egress points to the national road network to which speed limits greater than 60kmph apply. The development proposed to be retained and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

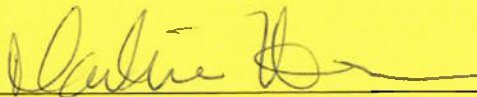
2. Having regard to the location of the site within an Area Under Strong Urban Influence as identified in the Laois County Development Plan 2021-2027 and in an area where housing is restricted to persons demonstrating local need in accordance with Objective RH2/Table 4.4 of the development plan, it is considered that the applicant has not sufficiently demonstrated that he complies with the housing need criteria as set out in the development plan for a house at this location. The development proposed to be retained and proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. Having regard to the rural design principles outlined in Policy RH10 and Appendix 7 of the “Rural Design Guidelines” of the current development plan, it is considered that the development proposed to be retained and proposed development does not accord with the relevant standards and provisions. Furthermore, it is considered that, by reason of its design and specification/ finishes, the proposed development would be contrary to Objective RH21, whereby log cabins and pods or wooden structures will only be permitted in certain cases and would seriously injure the visual amenities of the area. The development proposed to be retained and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note:**

The Board noted that the Inspector identified the subject site as being located within a Natural Heritage Area designated site, Clonreher Bog NHA (Site Code 002357). The Board considered this to be a new issue in the context of this appeal, which would ordinarily warrant further consideration and a request for further information relating to objectives in the development plan that seek to protect biodiversity including BNH4 and BNH7, and Objective RH4 which seeks to ensure the provision

of new housing is subject to Appropriate Assessment Screening in compliance with the Habitats Directive. However, in this instance, given the substantive reasons for refusal above, it was decided not to pursue this matter under the current appeal.

**Board Member**

  
Martina Hennessy

**Date:** 29/08/2024