

An
Coimisiún
Pleanála

Commission Direction
CD-000258
PL-500217-LS-25

The submissions on this file and the Inspector's report were considered at a meeting held on 09 March 2026.

The Commission decided to make a split decision, to

Grant permission, for the following reasons and considerations and subject to the following conditions for the existing garage including stables with new site entrance, in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

and

Refuse permission for the construction of a proposed dwelling house, secondary treatment system and soil polishing filter and all associated site works for the reasons and considerations marked (2) set out below.

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations (1)

Having regard to the agricultural use of the subject site, Policy Objective RL 1 which seeks to 'maintain a vibrant and healthy agricultural sector' and the criteria for agricultural buildings set out under DM RL 1 of the Laois County Development Plan 2021-2027, it is considered that the retention of the existing garage including stables with new site entrance would not be visually discordant or obtrusive on the site or in the landscape, would be in keeping with the character of the area, would not result in significant negative impacts on residential amenity and would not result in a traffic hazard. It is therefore considered that, subject to compliance with the conditions set out below, the retention of the proposed stables would not seriously injure the residential or visual amenities of the area. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the development shall be retained and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The use of the structure shall be for agricultural purposes only and shall not be used for commercial activity.

Reason: In the interest of clarity and to regulate the development.

3. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-

(a) Uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways.

(b) All soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of environmental protection and public health.

4. All foul effluent and slurry generated by the proposed development and in and around the stables shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

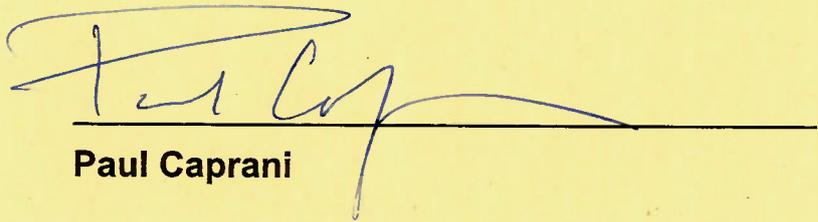
Reason: In the interest of public health.

Reasons and Considerations (2)

The site is located within an area designated as an Area Under Strong Urban Influence (Section 4.4 of the Laois County Development Plan 2021-2027). Based on the information provided, the applicants have not demonstrated compliance with the local needs criteria as set out in the development plan. In particular the applicant has not demonstrated that the application for build the house is being made by a long-term landowner, is engaged in working the family farm, is not working in rural activities nor has the applicant demonstrated that he is a local rural person who has spent a substantial period of his/her life living in the local area. Furthermore, the documentation submitted does not demonstrate exceptional health circumstances in accordance with Policy Objective RH14 of the development plan so as to justify a dwelling in this rural location. In the absence of compliance with a local need criteria on exceptional health

circumstances, the proposed development would materially contravene Policy Objective RH 2 and RH 14 of the development plan which requires the applicant to meet the criteria as set out in Table 4.4 of the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Planning Commissioner:



Paul Caprani

Date:

9th day of March 2026