



An
Bord
Pleanála

Board Order ABP-304669-19

Planning and Development Acts, 2000 to 2019

Planning Authority: Laois County Council

APPLICATION by D. Phelan of Abbeyleix Road, Portlaoise, County Laois requesting An Bord Pleanála to consider and determine, in accordance with its powers under article 120(3)(a) of the Planning and Development Regulations, 2001, as amended, whether the local authority should be directed to prepare an environmental impact assessment report in respect of a proposed residential development consisting of 39 dwelling units, a community facility and all associated site works at Abbeyleix Road, Portlaoise, County Laois.

DECISION

NOT TO DIRECT the local authority to prepare an environmental impact assessment report in respect of the said proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to:

- (a) the nature and scale of the proposed development, which is significantly sub-threshold in respect of Class 10(b)(i) (Infrastructure – Dwelling Units) and Class 10(b)(iv) (Infrastructure – Urban Development), or Class 15 of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on lands that are zoned for residential use under the provisions of the Portlaoise Local Area Plan 2018 – 2024, and the results of the strategic environmental assessment of this plan undertaken in accordance with the requirements of the SEA Directive,
- (c) the location of the site in an established residential area served by public infrastructure and the existing pattern of development in the vicinity,
- (d) the location of the site outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended, and the absence of any relevant connectivity to any sensitive location,
- (e) the detailed landscaping proposals for the site, including replacement tree planting,
- (f) the Schedule 7A submission of Laois County Council,
- (g) the guidance set out in the ‘Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development’ issued by the Department of the Environment, Heritage and Local Government,
- (h) the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, and

