

Planning and Development Acts 2000 to 2021

Planning Authority: Laois County Council

Planning Register Reference Number: 21/467

APPEAL by Siobhan Kavanagh and Thomas Fallon of Ballycarroll, Portarlington, County Laois and by Patrick and Elizabeth Costello of 5 Killenard, Portarlington, County Laois and by others against the decision made on the 26th day of January, 2022 by Laois County Council to grant subject to conditions a permission to Matt Colgan care of Evelyn Duff of Brockra Studios, Ballyfin, County Laois.

Proposed Development: Construction of 99 number detached dwelling houses (consisting of 49 number two-storey five-bedroom houses, 28 number two-storey four-bedroom houses, nine number two-storey three-bedroom houses, four number dormer four-bedroom houses, nine number single storey two-bedroom houses), a single storey creche/childcare centre, a new estate entrance off an existing access road on the east side of the Killenard Road L3171, a pedestrian link to the Ballycarroll Road L7172, the demolition/removal of a derelict farm building to the village end of the site, all estate roads, boundaries, landscaping, a play area, related and ancillary services and associated site works, including a foul drainage piped outfall through adjacent existing agricultural lands to the north and a piped storm drainage outfall through existing agricultural lands to the east, all at Ballycarroll and Tierhogar, Killenard, Portarlington, County Laois.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

The Board considered that to allow development on lands zoned 'Strategic Reserve 2027-2031' would be at variance with the principle of a sequential approach to the location of new development in the vicinity of Portarlinton and that the proposed development, by reason of its scale and location, would be contrary to Objective CS 30 of the Laois County Development Plan 2021-2027, which commits to 'Support housing at an appropriate scale and repopulation taking place within villages in a consolidated, sustainable and sequential manner'. In coming to this view, the Board also had regard to National Strategic Outcome 1 (NSO1) of the National Planning Framework (2018) which is to seek 'Compact Growth' across cities, towns and villages. In this regard, the National Planning Framework states that 'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages'. The Board noted that Regional Strategic Outcome 2 (RSO 2) of the Eastern and Midland Regional Spatial and Economic Strategy (RSES) supports the National Planning Framework's NSO1 stating that 'Residential development should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised'. A large portion of the proposed development would take place on lands zoned 'Strategic Reserve 2027-2031' and located outside the town boundary of Killenard. The Board, therefore, considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree with the Inspector's view that the proposed development complies with the policies and objectives of the local development plan. It is considered that, by reason of its scale and location on lands zoned 'Strategic Reserve 2027-31', the proposed development would be at variance with the principle of a sequential approach to the location of new development in the vicinity of Portarlington and would be contrary to Objective CS 30 of the Laois County Development Plan 2021-2027, which commits to 'Support housing at an appropriate scale and repopulation taking place within villages in a consolidated, sustainable and sequential manner'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

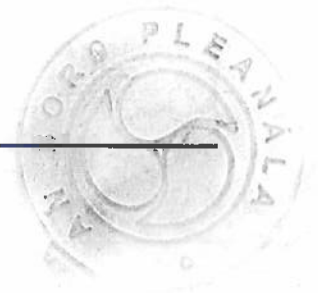


Stephen Brophy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 25th day of April, 2023.