

An  
Bord  
Pleanála

**Board Order**  
**ABP-318624-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 2360386**

**APPEAL** by Jason Murphy care of DKA Chartered Architectural Technologist of 20 Church Street, Portlaoise, County Laois against the decision made on the 10<sup>th</sup> day of November, 2023 by Laois County Council to refuse permission.

**Proposed Development:** Retention of a dwellinghouse and associated site works. Permission is also sought for new septic tank treatment system, percolation area and all associated site works, all at Clonreher, Portlaoise, County Laois.


## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

1. It is considered that the development proposed to be retained and the 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 the 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 60km/h apply. The development proposed to be retained and the 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 the 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 Laois County Development Plan 2021-2027, it is considered that the development proposed to be retained and the 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 the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Martina Hennessy**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 2nd day of September 2024.**