



An
Coimisiún
Pleanála

Commission Order ACP-323606-25

Planning and Development Act, 2000, as amended

Planning Authority: Laois County Council

Application by Laois County Council for approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura Impact Statement, lodged with An Coimisiún Pleanála on the 9th day of September 2025, and the further information submitted on the 5th day of May 2026.

Proposed Development:

The proposed development consists of:

The construction of 67 number housing units consisting of

- Six number one-bedroom, two-person,
- Five number two-bedroom, three-person,
- 17 number two-bedroom, four-person,
- 35 number three-bedroom, five-person, and
- Four number four-bedroom, seven-person

on a site of 2.0 hectares. The site is within the Curtilage of a Protected Structure Register of Protected Structures number 925, Portrain House, Stradbally Road, Portlaoise. The development will also include the provision of public open space, public walk-way along east boundary, flood defence infrastructure, public lighting, upgraded vehicular access along the Stradbally Road, 116 number car parking

spaces including both in-curtilage and on street parking, (includes required accessible parking space and Electric Vehicle charging spaces), cycle parking, boundary treatments, Electricity Supply Board Substation, laying of underground sewers, watermains and pipes, attenuation, the importation of soil and stone as by product for engineering and landscaping purposes within the development and all associated ancillary works including site development works, and hard and soft landscaping.

All located at Tyrrells Land, situated along Stradbally Road, Portlaoise, County Laois.

Decision

REFUSE to approve the above proposed development based on the reasons and considerations set out under.

Reasons and Considerations

1. Having regard to the location of the site situated within the attendant grounds of Portrain House (Register of Protected Structures number 925), the Commission considered the design and layout of the proposed development has failed to protect the character and setting of the protected structure. The layout of the proposed development which presents the rear elevations of houses to Portrain House has not had regard to the heritage context and further constraints of the site and has provided an insufficient buffer provided to the house and curtilage and therefore does not comply with Development Management Standard for

Protected Structures, DM PS 1, of the Laois County Development Plan 2021-2027. The proposed layout results in the loss of Category A and B trees on the site (including T10, T12 and 1234) and an unidentified tree which formed part of the parkland setting, which is not referenced in the arboricultural survey, and would therefore adversely affect the setting of Portrain House (Register of Protected Structures number 925) and would be contrary to Policy Objective for Historic Gardens, Country Houses and Demesnes, CH 2, and Policy Objective for Biodiversity and Designated Sites, BNH 26, of the Laois County Development Plan 2021-2027. Furthermore, the application is not accompanied by up-to-date appropriate documentation prepared by suitably qualified persons considering the specific impacts of the proposed development on the protected structure which is a requirement under Policy Objective for Protected Structures, PS 3, of the Laois County Development Plan 2021-2027. The proposed development, therefore, would not comply with proper planning and sustainable development of the area.

2. Having regard to the Natura Impact Statement and other reports submitted, the Commission, having carried out an appropriate assessment, concurred with the Inspector and cannot be satisfied that the proposal would not adversely affect the integrity of the River Barrow and River Nore Special Area of Conservation (Site Code: 002162) in view of the Site's conservation objectives. It is considered there is insufficient information on how the proposed diversion and/or culverting of the Maryborough Stream will be constructed, and a comprehensive watercourse diversion plan has not been provided. There is insufficient information on hydro morphological effects as a result of the proposed culverting of the stream and the efficacy of proposed mitigation measures with respect to the protection of water quality. Therefore, sufficient information to remove all reasonable scientific doubt as to the effects of the project on water quality and related conservation objectives for the site integrity of the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), has not been provided.

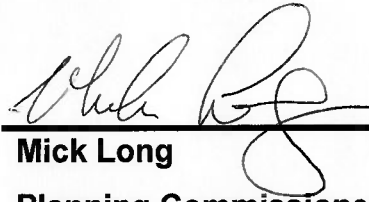
Furthermore, it has not been demonstrated to the Commission that the proposed development would not give rise to a risk of deterioration in the ecological and/or chemical status of watercourses/bodies in the area. The proposed development would therefore be contrary to the requirements of Article 4 of the European Union Water Framework Directive (2000/60/EC), as transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (Statutory Instrument number 722 of 2003), as amended, and would be inconsistent with the objectives of the Water Action Plan 2024 and the proper planning and sustainable development of the area.

3. The Commission was not satisfied that the documentation submitted with the application relating to potential biodiversity impact is adequate for the Commission to reach a determination on the likely significant ecological effects from the proposed development, with insufficient information and surveys regarding the baseline environment, quantitative impacts to habitats and species, and site-specific mitigation measures. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

The Commission noted the location of the opportunity site on the edge of the designated town centre area proximate to public transport services. The density of the proposed development is 34 dwellings per hectare using the net site area which is marginally below Objective DN 1 under the Laois County Development Plan 2021-2027 which states a density of 35 dwellings per hectare (or site specific) for town centre / infill sites within key towns such as Portlaoise and below the potential density of 40 dwellings per hectare in the Stradbally Road masterplan in the Portlaoise Local Area Action Plan 2024-2030. Given the substantive nature of the reasons for refusal, the Commission did not seek additional information on the density of the proposed scheme but noted that any

future consideration of the design and layout of the scheme should also consider the density to be provided at the opportunity site.


A handwritten signature in black ink, appearing to read 'Mick Long', is written over a horizontal line.

Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate the
seal of the Commission.**

Dated this *13th* day of *October* 2026

