



An
Coimisiún
Pleanála

Inspector's Report PL-500012-LS

Development	Amendments to previously permitted development with associated development works.
Location	A site at Bishopswood Road , Portarlinton , Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560255
Applicant(s)	Randelswood Holdings Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Frances Emerson
Observer(s)	None
Date of Site Inspection	19/11/2025
Inspector	Alan Di Lucia

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Appendix 1 – Form 1: EIA Pre-Screening

Form 2: EIA Preliminary Examination

Appendix 2

AA Screening

Appendix 3

WFD Impact Assessment Stage 1: Screening

1.0 Site Location and Description

- 1.1. The appeal site is located within the settlement boundary of Portarlinton. The settlement boundary of Portarlinton is located within both County Offaly and County Laois, with the appeal site located within County Laois. The appeal site is located along the Bishopswood road, approximately 700m to the Northwest from the town centre along the settlement boundary.
- 1.2. The appeal site has a stated area of 3.91 hectares and comprises a residential development which is at an advanced stage of construction. The adjoining land uses mainly consist of residential developments to the west, and a large number of predominately single storey one-off dwellings both newly constructed and long standing to the north. Extensive agricultural lands extend to the east from the appeal site.

2.0 Proposed Development

- 2.1. The proposed development consists of amendments to the design and layout to a housing development consisting of 97 residential units with creche facility permitted by Laois County Council (Planning Reference 19/432), with amendments permitted by Laois County Council (Planning Reference (24/46) which relate to revised internal layouts to the proposed houses and changes to car parking arrangements).
 - 2.1.1. The amendments the subject of this appeal consist of a reduction in the site area from 4.01 to 3.91 hectares to facilitate an increase to the size of the creche reservation area from 796m² to 982m², and to exclude this reservation area from the planning application site area. A separate planning application permitted by Laois County Council relates to the creche facility (Planning Reference 2560422)
 - 2.1.2. The amendments also comprise of modifications to the internal road layout including the provision of a new internal road to the eastern boundary of the creche site. The amendments also comprise the relocation and redistribution of public open space resulting in the total quantum of public open space increasing from 4522m² to 4657m²
 - 2.1.3. The amendments further comprise of the repositioning of 13 no. dwelling houses within the site to accommodate the revised open space arrangement. The

permission also relates to a change in house types of the houses repositioned resulting in the addition of:

1 No. House Type A; 1 No. House Type A2; 1 No. House Type D1 replacing 1 No. House Type B; 1 No. House Type B1; 1 No. House Type D

- 2.1.4. The proposed development includes amendments to site services arrangements including revisions to attenuation, adjustments to selected footpaths , car parking requirements and the provision of an ESB substation and all associated site development works above and below ground.
- 2.1.5. The proposed amendments to the housing scheme does not alter the permitted 97 units, and the total quantum of car parking provision remains unchanged. The gross floor area of the scheme will change from 10,522m² to 10,609m²

3.0 Planning Authority Decision

3.1. Further Information

The Planning Authority requested further information regarding the proposed development relating to:

- To ensure carparking provision is within the curtilage of the property it serves; located to the front of properties and visitor car parking clearly shown, with 10% of total provide with functional electric vehicle charging points..
- Private Rear Gardens not in accordance with the provision of the Laois County Development Plan 2021-2027.
- Submit a Stage 1 and Stage 2 Road Safety Audit for updated roads layout; provide auto-track analysis for all cars assuming all parking spacing are occupied and for HGV vehicles.
- Sumit a revised foul and storm drainage layout to ensure all surface water is directed through bypass petrol interceptors, that pipe invert levels can accommodate surface water attenuation and location / capacity of attenuation tanks
- Submit a SuDS details to manage surface stormwater

- Confirm all invert levels of pipes / ditches used to redirect water from ditches / streams and to detail measures to mitigate ponding / flooding.
- Confirm intentions relating to Crèche facility.
- To correct discrepancies to the site layout plans submitted
- Provide a response to third party submissions.

All Further Information was submitted to the satisfaction of the Planning Authority.

3.2. Decision

Following receipt and assessment of the further information received, the Planning Authority issued a notification of a decision to grant permission subject to 13 conditions.

Conditions of Note Include:

Cond. No 2 Apart from departures permitted the development shall be in accordance with Planning Ref. 19/432 (as amended by planning ref 24/46)

Cond No 5. Specific conditions relating to the landscaping requirements for both public and private open space.

Cond. No 7 Submit an EV ducting layout for site to include visitor spaces 05,06,07

Cond. No 10 (c)(d) carry out a detailed Stage 3 and 4 Road Safety Audit.

3.3. Planning Authority Reports

3.3.1. Planning Reports

- Complies with the provisions of the Laois County Development Plan 2021-2027 and the Portarlington Joint Local Area Plan 2025-2031
- The rationale for the proposed amendments was a result of construction works identifying that there was significant variability in ground stability and deemed unsuitable for residential development due to excessive and unpredictable foundation requirements.
- AA Screening concluded that no likely significant impacts due to nature of the proposed development

- EIA screening concluded that proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). Concluded EIA was not required.
- Development Contributions levied under Plan Ref 19/432 and as there is no alteration to the number of units a revised development contribution condition is not required.

3.3.2. Other Technical Reports

- Housing Section
 - No change in number of units, and Current Part V agreement in place under Plan Ref. 19/432
- Chief Fire Officer
 - Not assessed the application
- Road Design
 - Request Further Information relating to:
 - Car Parking, Road Safety, and Drainage
 - Following Receipt of Further Information, Recommends a grant of planning permission subject to conditions.

3.4. Prescribed Bodies

None Received

3.5. Third Party Observations

One third party submission received. Issues related to:

- Flooding of adjoining lands
- None compliance with conditions of previous permission relating to interference of lands and road drainage
- Site safety at this location.

4.0 Planning History

Appeal Site

PA Ref: 24/46

Planning Permission granted by Laois County Council to amend the design and layout of houses and selected car parking spaces permitted under PA Ref: 19/432.

PA Ref: 19/432

Outline Planning Permission granted by Laois County Council for Creche facilities and Planning Permission granted by Laois County Council to construct 97 residential units, new access and all site works including drainage, footpaths, pedestrian access, landscaping and amenity areas, car parking, public lighting and all other ancillary works.

PA Ref: 2560422

Planning Permission granted by Laois County Council to construct a two storey Creche and Daycare facility.

5.0 Policy Context

5.1. Local Area Plan

- 5.1.1. Portarlington Joint Local Area Plan 2025-2031 (JPLAP) is the relevant statutory plan for the area. It has been prepared by Laois County Council and Offaly County Council in accordance with the provisions of the Planning and Development Act 2000, as amended. The JPLAP sets out the overall strategy for the proper planning and sustainable development of Portarlington, in the context of the Laois County Development Plan 2021-2027, the Offaly County Development Plan 2021-2027 and the Eastern and Midland Regional Spatial and Economic Strategy 2019-2031.
- 5.1.2. The land to which the appeal site is located is zoned 'Residential 1 – Existing Residential', which is '*To protect and enhance the amenity of developed residential communities.*' This zone is intended '*primarily for established housing development but may include a range of other uses particularly those that have the potential to*

improve the residential amenity of residential communities such as schools, creches, small shops, doctors' surgeries, playing fields etc.'

- 5.1.3. It is an objective on land zoned for Residential 1 to '*protect the established residential amenity and enhance with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area. Within this zoning category the improved quality of existing residential areas will be the Council's priority.*'

5.2. Natural Heritage Designations

- 5.2.1. The Following Heritage Sites are located within the vicinity of the appeal site.

Site Code	Site Name	Distance (Approx.)
002162	River Barrow and River Nore SAC	0.6 km
002141	Mountmelick SAC	6.8 km

5.3. EIA Screening

- 5.3.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

Frances Emerson

- Their Family lands are located along the northern and eastern side of the development site and outlines the background of these lands and that they

currently keep horses on these lands. The grounds of appeal include photographs of the issues outlined.

- Notes permissions granted which detailed retention of mature trees and installation of wire fence on their side of boundary. Applicants removed trees and opened lands to public. Concern that their family and horses have access to a dangerous development site.
- As per drawings, four houses will overlook their lands and boundary treatment will not protect them from potential trespassing issues, propose an 8ft fence to be more appropriate.
- Questions the flooding response by the applicant to Laois County Council, and that flooding occurred prior to Storm Eowyn, which the applicant claimed caused flooding. Notes that following a meeting with the developer nothing that was agreed was submitted as part of the further information.
- Highlights that the development has resulted in the closure of the natural stream thus resulting in flooding of their lands. Water in the stream has nowhere to go due to the development on site. Questions the adequacy of the 750 mm surface water pipe installed at this location and that the levels not appropriate to adequately divert water away from this location.

6.2. Applicant Response

- The applicant submits that the ground of appeal is not of relevance to the subject application and the decision made by Laois County Council should be upheld.
- The 'parent permission' (ref 19/432) relates to the entire original scheme which specifically includes the 750 mm Dia pipe referenced in the grounds of appeal. No works relate to the installation of this pipe as part of the current application, which relates to modifications to aspects of the layout to the 'parent permission'.
- The subject site does not refer to any modifications to ditches, drains, culverts, land drains or any works of that sort.

- The appellant appears to have issues with works permitted and carried out under P19/432 and works to the drainage at the front of the site have been completed in accordance with the permission as granted.
- Points out that if the appellant considers that the completed works are not in compliance with P19/432, then the appropriate course of action is with the PA by way of an enforcement query, and note the issues raised should have been raised during the assessment of the 'parent application'.
- With regards to the grounds of appeal.
 - Boundary fence installed is a neat stockproof and safe fence between the open space and appellants property. As the development progresses the boundary will be installed in accordance with the parent permission and any subsequent granted permissions.
 - A response was given to the PA regarding the invert levels of pipes / ditches used to redirect water from ditches / streams and measures to mitigate against ponding / flooding.
 - A response relating to flooding indicated that fallen trees may have contributed to flooding, which were cleared by applicant. The Applicants note that the subject site is attenuated to predevelopment levels. Applicants have agreed with Laois Couty Council to provide a drop kerb access from the public road, with graded access and lockable gate to facilitate future maintenance of the ditch.
 - Response to third party submission, details submitted clarifies the situation with 750mm Pipeline , the diversion pipe is subject to planning reference 19/432 and the subject amendment application does not propose any amendments to the drainage network.
 - Applicant has agreed to clear blockage and reached out to landowner regarding accommodation works that would benefit the landowner.

6.3. Planning Authority Response

- None Received

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the Planning Authority, and inspected the site, and having regard to relevant local policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Layout and Design
- Drainage and Surface Water Attenuation
- Boundary Treatment.
- Other Matters

7.2. **Principle of Development**

- 7.2.1. The subject site is located along the Bishopswood road and consists of amendments to an under-construction housing development of 97 units granted planning permission under Planning Ref 19/432. The amendments relate to relocation of 13 housing units and the reallocation of the open space provision.
- 7.2.2. Under the JPLAP, the land to which the appeal site is located is currently zoned *'Residential R1 – Existing Residential which is 'to protect and enhance the amenity of developed residential communities.'* The zoning provision is intended *'primarily for established housing development but may include a range of other uses particularly those that have potential to improve the residential amenity of residential of residential communities such as schools, creches, small shops, doctors' surgeries, playing fields etc.'*
- 7.2.3. I am satisfied that the proposed development complies with the zoning provision of the JPLAP and is acceptable in principle.

7.3. **Layout and Design**

- 7.3.1. The proposed development consists of amendments to the design and layout to a permitted housing development of 97 residential units with a crèche facility. (Planning Reference 19/432). I consider that Planning Reference 19/432 is the 'parent permission' to which the amendments relate. Permission was also granted

under Planning Reference 24/46 to amend 'parent permission', to alter the design of houses and selected car parking spaces.

- 7.3.2. The current proposal amends the site size from 4.01 to 3.91 hectares, in order to facilitate an increase to the reserved area associated with the creche / daycare facility. The current proposal also separates the creche / daycare facility from the 'parent permission'. I note that the creche / daycare facility is permitted under a separate planning application. (Planning Reference 2560422). I consider that these amendments do not significantly alter the 'Parent Permission'. I note that the Guidelines for Planning Authorities 2001 relating to Childcare facilities, requires new housing schemes to provide one childcare facility per 75 housing units. I am satisfied the separation of the creche / daycare facility from the 'parent permission' and that permission has been permitted to provide this facility on site complies with the guidelines in terms of the provision of such facilities within the housing scheme.
- 7.3.3. The current proposal amends the existing layout of the overall housing development by repositioning 13 number housing units from the northeast part of the site to the central / southern end of the layout. This results in a decrease to the open space provision at this central location within the overall development but increases the overall open space provision of the housing scheme to the northeast in place of the relocated housing. The applicants note that this relocation was necessary as site investigation works during construction indicated that the lands to the northwest were unsuitable for construction due to the soil configuration and the applicants considered that open space would be a more appropriate use at this location. I note that the reduction in open space adjoining the creche facility has reduced from 2400m² to 860m² with the relocation of this open space provision to the eastern side of the development resulting in a form of linear park type of open space providing a suitable transition from the urban form to the rural area. I am satisfied that the relocation of the open space provision for the overall development is appropriate at this edge of town location.
- 7.3.4. I note that there is no increase in the total number of housing units permitted under the 'parent permission'. The relocation of seven number housing units from the north eastern part of the site addresses the concerns raised by the appellant in terms of overlooking of their property. However, I note that four number housing units adjoining the appellants lands were granted under the 'parent application' are not

part of the current permission to amend the site layout. Therefore I consider this issue outside the scope of the current appeal. However, following a site inspection and with the boundary treatment proposed, I am satisfied that overlooking from the four houses at this location onto the appellants lands will have minimal impact.

7.3.5. I consider that based on the information provided with the planning application and from my site inspection that the reconfiguration of the housing scheme layout provides a more compact urban form at this edge of town location, with the open space providing a suitable transition from the urban form to the adjoining rural area. I conclude that the amended layout configuration is appropriate to this edge of town location.

7.3.6. I note that the amendments to the house types at this location are to house types already permitted for the overall housing scheme and I am satisfied that such amendments to the house types will integrate into the overall housing scheme.

7.4. Drainage and Surface Water Attenuation.

7.4.1. I note that the 750mm Culvert Pipe, referenced by the appellant, along the roadside boundary is existing and not part of the proposed amendment application. I note that the applicant in their response to the grounds of appeal have highlighted that the Culvert is existing and permitted under the 'parent permission' and that any issues relating to the roadside culvert should be addressed to Laois County Council and has no relevance to the current amendment application. However, I note that the PA requested further information to confirm all invert levels of pipes / ditches used to redirect water from ditches / streams and elaborate on measures used to mitigate against ponding / flooding.

7.4.2. The applicant in their response to the further information provided details of the invert levels of the installed pipe and detailed a gradient of 1/1000. I note that the PA noted the response to the installed 750mm pipe and that internal Road Department report is satisfied with further information response by the applicant. I note that it is not within the scope of the appeal to determine the adequacy of the roadside drainage pipe as this was permitted under the 'parent permission' and is currently in-situ and not referenced as part of the proposed amendments. I conclude that this is an issue that should be addressed between the appellant and the PA as it relates to compliance issues with the 'parent permission'.

- 7.4.3. I note the applicant's response to elaborate on measures used to mitigate against ponding and flooding includes measures agreed with Laois County Council relating to providing a drop kerb access with graded access and lockable gate to facilitate maintenance of the ditch. I note an internal report from the Roads Department was satisfied with the further information response by the applicant.
- 7.4.4. I note that the Planning Authority included a condition to the grant of permission stating that 'the proposed development shall not interfere with existing land or road drainage.' and that 'no surface water shall be allowed to flow onto the public roadway, public foul sewer or adjacent properties. I note from my site inspection, that flooding /ponding was occurring at the culvert pipe location, however I also note from the details submitted to the Planning Authority that surface water is also directed to this location. I am satisfied that surface water attenuation can be adequately discharged from the development site, however I conclude that such measures should be agreed with the PA. Therefore, should the Commission grant planning permission I have included such agreements in my recommended conditions.

7.5. Boundary Treatment

- 7.5.1. I note that from my site inspection, that a stockproof fence has been installed between the open space and the appellants property, providing a secure and safe temporary boundary until construction on site is completed. I note that the proposed boundary treatment at this location post construction is to provide a hedgerow. I note the appellants concerns regarding the decimation and removal of trees resulting the accessibility of their lands to the public. I am not satisfied that such a hedgerow without fencing will provide a sufficient boundary between the applicant and appellants lands. Therefore, I consider that finalised boundary treatment should be agreed with the PA at this location and an appropriate condition included if the commission decide to grant permission.
- 7.5.2. I note the appellants concerns relating to the boundary treatment to the rear of the four housing units adjoining their lands. From my site inspection, the boundary treatment for these four housing units is in situ and consists of a 2m high concrete clock wall capped. This boundary treatment was permitted under the 'parent permission' and is not part of the current permission to amend the site layout plan. Therefore, I consider this issue outside the scope of the current appeal. However,

following my site inspection, I consider that the retention of the existing hedgerow to the rear of these houses as proposed by the applicant will adequately screen the boundary treatment from the appellants lands.

7.6. Other Matters

Expiry Date of 19/432

- 7.6.1. The current application relates to amendments to permission granted under Planning Reference 19/432. I note that Planning Reference 19/432 is considered the 'parent permission' as the proposal is to amend this planning permission. I note that the final grant date for the 'parent permission' was the 18/02/2020.
- 7.6.2. I note that planning permission to amend the 'parent permission' under planning reference 2560422 includes a condition stating that 'This permission for amendments to development, which was granted permission on planning reference 19/432 shall expire on the expiry date of 19/432, which is the 17/02/2025'.
- 7.6.3. I note that the application under appeal also consists of amendments to the 'parent application' planning reference 19/432. There is no reference made throughout the application relating to the expiry date of the 'parent application'. I note that condition 2 of the decision to grant permission by the Planning Authority states that 'Apart from departures authorised by this permission the development shall be carried out in full accordance with the terms and conditions of planning reference 19/432 (as amended by planning permission reference 24/46) and any agreements entered into.'
- 7.6.4. I note that the PA have not identified any procedural issues arising from the 'parent permission' Planning Reference 19/432. Notwithstanding this, I have reviewed all documentation submitted with the application and the information available of the PA website and I could not verify whether the original expiry date of the 17/02/2025 remains in effect. Therefore, the 'parent permission's expiry date remains unverified.

Part V and Development Contributions

- 7.6.5. As there is no increase in the number of housing units and the proposal is an amendment to planning reference 19/432, all Part V requirements and development contributions were considered under planning reference 19/432, therefore not required under the current appeal application.

8.0 AA Screening

- 8.1.1. I have considered the proposed development consisting of amendments to a house scheme previously granted planning permission for 97 units in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located within an urban area 0.6 km to the nearest European Site. The proposed development comprises relocation of 13 units within the site, new internal road layout and ancillary works. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. (See AA Screening in Appendix 2 below) The reason for this conclusion is as follows:

- The nature of the works within the urban area of Portarlinton
- The location of the proposed in relation to European Sites, with limited hydrological of ecological connections to such sites

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive Screening

The appeal site is located approximately 0.6 km from the River Barrow to the south. The development comprises of amendments to the design and layout to a housing development consisting of 97 residential units with creche facility permitted by Laois County Council (Planning Reference 19/432), with amendments permitted by Laois County Council (Planning Reference (24/46)

I have assessed the development seeking permission and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in

order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest Water bodies and/or limited hydrological connections.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

10.0 Recommendation

- 10.1.1. Having regard to the foregoing, I recommend that permission is granted subject to conditions hereunder.

11.0 Reasons and Considerations

Having regard to the location of the appeal site within a permitted residential development, currently at an advanced stage of construction, the provisions of the Portarlington Joint Local Area Plan 2025-2031, it is considered that, subject to compliance with conditions set out below, the revisions to the permitted development, that the design and layout are appropriate and to the particular characteristics of the appeal site would integrate appropriately with the development permitted and that that no adverse impact upon European sites would arise. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 18th day of August 2025, 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 carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2	Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission Register Reference 19/432 (as amended by planning permission Register Reference 24/46) unless the conditions set out hereunder specify otherwise. Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).
3	(a)The site shall be landscaped in accordance with the Site Layout Plan Landscaping Plan submitted to the Planning Authority on the 29/04/2025 (b) All new planting shall be of suitable species as outlined in the Laois County Development Plan 2021-2027. (c)All front and rear garden spaces shall be soiled and seeded. (d)All public open spaces shall be developed for public use and shall be in kept free from any development and shall not be enclosed, except where otherwise agreed. When the development is being taken in charge, the open space shall be vested to the Planning Authority as public open space (e)All public and private open spaces shall be treated with a 300mm minimum cover of consolidated topsoil and shall be grassed. No mounding of such spaces shall be permitted and all shall be level with the road.

	(f)All landscaping works shall be carried out prior to occupation of the proposed units. Reason: In the interests of visual and residential amenity.
4	Boundary screening shall be generally in accordance with the Boundary Treatment Plan submitted to the Planning Authority on the 29/04/2025. Details of boundary treatment along the open space provision along the northeast boundary of the site shall be submitted to the Planning Authority for agreement. Reason: In the interests of visual and residential amenity.
5	Prior to commencement of any development for which this permission relates the applicant shall submit an EV ducting layout for the site to the Planning Authority for agreement Reason: in the interests of traffic and pedestrian safety.
6	Prior to commencement of any development for which this permission relates the applicant shall submit a public lighting design and report, to the Planning Authority for agreement. Reason: In the interests of proper planning and traffic safety
7	(a)The developer shall carry out a detailed Stage 3 Road Safety Audit (RSA) by an independent approved and certified auditor, for the proposed development. The developer shall submit to the Planning Authority a copy of the RSA Stage 3 report and shall complete all of the remedial measures identified in the RSA Stage 3 report, prior to opening the scheme to traffic. The developer shall be liable for all costs associated with these works. (b) Six months following occupation of the development hereby approved, a Stage 4 Road Safety Audit (RSA) shall be completed by an independent Road Safety Audit Team comprised of TII approved auditors and submitted to the Planning Authority for approval. Recommendations arising from the Audit shall be agreed with the Planning Authority, and implemented, as appropriate, at the sole expense of the developer.

	(c) The developer shall submit a traffic management plan to the Planning Authority for agreement. (d) Prior to the occupation of the development, any damage caused to the adjoining public thoroughfare shall be made good at the developer's expense, to the satisfaction of the Planning Authority Reason: In the interests of traffic safety
8	(a) All surface water run-off from roofs, entrances and parking areas shall be collected and disposed of within the site to the surface water sewer. In particular, no such surface water run-off shall be allowed to flow onto the public roadway, public foul sewer or adjacent properties. (b) The proposed development shall not interfere with existing land or road drainage (c) The developer shall submit details for written agreement with the Planning Authority demonstrating compliance with (a) and (b) above. Reason: To prevent flooding and in the interests of traffic safety
9	(a) No part of the proposed development shall encroach, over sail or otherwise physically impinge upon any adjoining property save with the prior written agreement of the owner(s) thereof (b) All public and private property shall be adequately protected at all times particularly during site clearance, demolition and construction works Reason: In the interests of public safety.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Alan Di Lucia

7th January 2026

Appendix 1 Form 1 - EIA Pre-Screening

Case Reference	ACP-500012-LS
Proposed Development Summary	The proposed development consists of amendments to the design and layout to a housing development consisting of 97 residential units with creche facility permitted by Laois County Council (Planning Reference 19/432), with amendments permitted by Laois County Council (Planning Reference (24/46)..
Development Address	Bishopswood Road , Portarlinton , Co. Laois
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2)	Schedule 5 Part 2 10. Infrastructure Projects (i) Construction of more than 500 dwelling units.
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-500012-IS
Proposed Development Summary	The proposed development consists of amendments to the design and layout to a housing development consisting of 97 residential units with creche facility permitted by Laois County Council (Planning Reference 19/432), with amendments permitted by Laois County Council (Planning Reference (24/46).
Development Address	Bishopswood Road , Portarlinton , Co. Laois.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises amendments to housing scheme permitted and under construction, which includes relocation of 13 units on site and site works. There is no change to number of units arising from the proposed development.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed development comprises amendments to housing scheme permitted and under construction, which includes relocation of 13 units on site and site works. The location is within lands zoned for urban development, with no environmental sensitive sites within the proximity of the site, or with no ecological or hydrological connectivity to any environmental sensitive sites.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the location, site size and development proposed it is considered that there is no potential for significant effects on the receiving environment resulting from the development proposed
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2 AA Screening

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		The proposed development consists of amendments to the design and layout to a housing development consisting of 97 residential units with creche facility permitted by Laois County Council (Planning Reference 19/432), with amendments permitted by Laois County Council (Planning Reference (24/46).		
Brief description of development site characteristics and potential impact mechanisms		The development site is an active construction site for the for 97 houses granted planning permission under PA Ref 19/432. The proposal mainly relates to relocation of 13 houses and relocation of open space		
Screening report		Y		
Natura Impact Statement		N		
Relevant submissions		None		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
River Barrow and River Nore SAC (002162)	Habitats 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide	0.6km	None	N

	1170 Reefs 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) 1410 Mediterranean salt meadows (Juncetalia maritimi) 3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation 4030 European dry heaths 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 7220 Petrifying springs with tufa formation (Cratoneurion)* 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 91E0 Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* Species 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) 1029 Freshwater Pearl Mussel (<i>Margaritifera</i> <i>margaritifera</i>) 1092 White-clawed Crayfish (<i>Austropotamobius</i> <i>pallipes</i>) 1095 Sea Lamprey (<i>Petromyzon</i> <i>marinus</i>) 1096 Brook Lamprey (<i>Lampetra planeri</i>) 1099 River Lamprey (<i>Lampetra</i> <i>fluviatilis</i>) 1103 Twait Shad (<i>Alosa</i> <i>fallax fallax</i>)			
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	1106 Salmon (<i>Salmo salar</i>) 1355 Otter (<i>Lutra lutra</i>) 1421 Killarney Fern (<i>Trichomanes speciosum</i>)			
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites AA Screening matrix				
Site name Qualifying interests		Possibility of significant effects (alone) in view of the conservation objectives of the site*		
		Impacts	Effects	
River Barrow and River Nore SAC (002162) Habitats 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1170 Reefs 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritima) 1410 Mediterranean salt meadows (Juncetalia maritimi) 3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation 4030 European dry heaths 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 7220 Petrifying springs with tufa formation (Cratoneurion)* 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 91E0 Alluvial forests with		Direct: None Indirect: [None]	None	

Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* Species 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) 1029 Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) 1092 White-clawed Crayfish (<i>Austropotamobius pallipes</i>) 1095 Sea Lamprey (<i>Petromyzon marinus</i>) 1096 Brook Lamprey (<i>Lampetra planeri</i>) 1099 River Lamprey (<i>Lampetra fluviatilis</i>) 1103 Twaite Shad (<i>Alosa fallax fallax</i>) 1106 Salmon (<i>Salmo salar</i>) 1355 Otter (<i>Lutra lutra</i>) 1421 Killarney Fern (<i>Trichomanes speciosum</i>)		
No	Likelihood of significant effects from proposed development (alone): Y/N	
No	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
No	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on River Barrow and River Nore SAC (002162) The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project]. No mitigation measures are required to come to these conclusions. [		

Screening Determination**Finding of no likely significant effects**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the River Barrow and River Nore SAC in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature of the works within the urban area of Portarlinton
- The location of the proposed in relation to European Sites, with limited hydrological of ecological connections

Inspector: _____ Date: _____

Appendix 3 – WFD IMPACT ASSESSMENT STAGE 1: SCREENING

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	500012	Townland, address	Bishopswood Road , Portarlinton , Co. Laois
Description of project		The proposed development consists of amendments to the design and layout to a housing development consisting of 97 residential units with creche facility permitted by Laois County Council (Planning Reference 19/432), with amendments permitted by Laois County Council (Planning Reference (24/46).	
Brief site description, relevant to WFD Screening,		The site is located in the Barrow_SC_030 Water Framework Directive Sub Catchment Area which is part of the Barrow Water Framework Catchment Area. The site is an construction site for a permitted housing development. There are no drainage ditches within the site, there is a ditch to the Northeast corner of the site., The River Barrow is 0.6km from the subject site	
Proposed surface water details		On Site SuDS system	
Proposed water supply source & available capacity		Public Water Supply	

Proposed wastewater treatment system & available capacity, other issues			Not applicable.			
Others?			Not applicable.			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River waterbody	1.2 km	Barrow-080 SE_14B010900)	Moderate	At Risk	Urban Runoff Urban Waste Water	limited hydrologically connected to surface watercourse.
Groundwater waterbody	Underlying Site	Bagenalstown Upper (IE_SE_153)	Good	Not at risk	No pressures	Surface water runoff.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Barrow-080 SE_14B010900)	None	None	None	No	Screened out
2.	Ground	Bagenalstown Upper (IE_SE_153)	Drainage	None	Standard Construction Measures / Conditions	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Barrow-080 SE_14B010900))	None	None	None	No	Screened out

4.	Ground	Bagenalstown Upper (IE_SE_153)	Drainage	None	None	No	Screened out
DECOMMISSIONING PHASE							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A