

LAOIS COUNTY COUNCIL

PLANNING DEPARTMENT

PLANNING REPORT

PLANNING REF: 26/60385



Application No	26/60385
Applicant Name:	Alexis Vasquez
Development Description:	Dwelling house
Development Address:	Killeen, Co. Laois
Date of Site Inspection:	28/07/2026
Decision Due Date:	12/08/2026
Recommendation:	Refuse

Site Location/ Context

The subject site is located in the village of Killeen, Maganey to the east of the residential development known as Bruach na hAbhainn. The site is currently in agricultural use and forms part of a larger agricultural field. Access to the site is via the L-3992, Local Primary Road within the village speed limit. The site boundaries to the east, north and west are defined by existing mature hedgerows.

Proposed Development

Planning permission is sought to construct a two-storey dwelling house, domestic garage, garden room, septic tank & percolation area, new site entrance and all associated and necessary site work.

Natura 2000 sites

The site not located within or near a Natura 2000 site. The River Barrow And River Nore SAC is circa 1.7km east of the subject site. Having regard to the proximity of the nearest Natura 2000 site and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.

EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Flood Risk

Part of the site is located within the critical Flood Zones A and B, as indicated on the Strategic Flood Risk Assessment of the Laois County Development Plan 2021 – 2027 and on the OPW mapping as set out on Flood Maps.ie.

Archaeological and Architectural Heritage

There are no Monuments or Protected Structures within close proximity of the subject site.

Submissions/ Observations / Representations

One number submission received in relation to the proposed development which is briefly summarised below. The submission in its entirety is contained on the planning file.

Emer Moore, 30 Bruach na Habhainn Killeen Co. Laois

1. Overlooking/overshadowing,
2. The site is within a flood zone and no flood risk assessment has been carried out
3. Validity of percolation test
4. Impact on vegetation and wildlife
5. Noise and disruption
6. Policy context – non-compliance with zoning objectives

The content of the submissions have been fully considered in the assessment of this planning application.

Pre-planning

No pre- planning discussion has taken place in respect of this proposal.

Planning History

17/499: Permission granted to Jim McDonald to construct 3 no. 3 bed 2 storey detached houses, 1 no. 2 bed single storey detached house, 6 no. 3 bed 2 storey semi-detached house and 10 3 bed 2 storey semi-detached houses (20 in total). And 8 no. individual service plots, garages , car parking spaces , access through Bruach na hAbhain development and 2 no. entrances onto County Road L-3992. Estate roads , footpaths, public open space, connection to existing sewerage and water main, landscaping and all associated site works at land South/West of County road L-3992, Killeen Village, Killeen Td. And Grange TD., Maganey, Co. Laois. A screening Assessment as part of the Appropriate Assessment process is included with the application.

12/243: Permission granted to J McDonald to construct 4 no. 3 bed detached bungalows, 6 no. 3 bed semi-detached houses, 8 no. 4 bed detached houses (18 in total). And 8 no. individual service plots, garages, car parking spaces, access through existing development and 2 no. entrances onto County Road L-3992.

11/332: Permission refused to J McDonald to extend time on Planning Permission 06/844.

10/627: construct 27 no. houses (11 no. two storey 3 bed, 1 no. Bungalow, 7 no. two storey 4 bedroom TYPE A and 8 no. two storey 4 bed TYPE B), access through existing entrances onto county road L3992 and through existing housing estate granted under 04/1378 and onto R429, roads, footpaths public open spaces, connection to existing private sewage treatment system, connection to existing private watermain, landscaping

and all associated site works. This application will supersede the previously granted planning application file ref. 06/844. Refused

06/844: Permission granted to J McDonald to construct 18 dwellings and 9 serviced plots, garaging, car parking spaces, access through existing entrance onto county road L-3992 and through existing scheme(ref. 04/1378) onto R429, estate roads, footpaths, public open spaces, connection to existing private sewerage and private watermains, landscaping and all associated site works.

Referrals

Internal Reports

MD Engineer – Further Information

Planning Technician (SSA) – No objection

Prescribed Bodies/External Reports

N/A

Policy and Objectives

Laois County Development Plan 2021 – 2027.

The subject site is mainly located on lands zoned Open Space and Amenity and 'Residential 2 – New Residential' in the Laois County Development Plan 2021 – 2027.

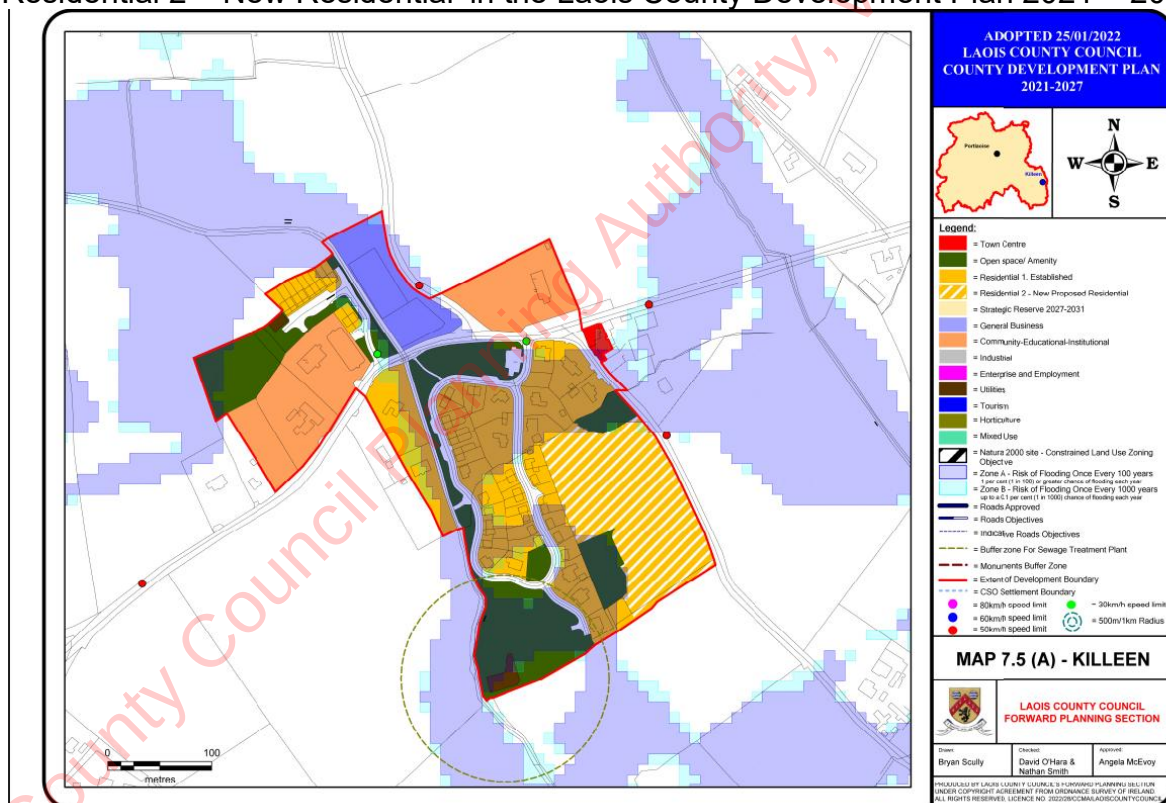


Fig 1: Land use zoning map of the subject site - Laois County Development Plan 2021 – 2027. (Map 7.5 (A) Killeen)

Assessment

Principle of the Development

The subject site is partly located on lands zoned Open Space/Amenity and 'Residential 2 – New Residential' in the Laois County Development Plan 2021 – 2027. The residential zoning has a stated objective to provide for new residential development, residential services and community facilities.

The proposed development is partly located in an area where the stated zoning in the Laois County Development Plan 2021-2027 is Open Space / Amenity, the objective of which is to preserve, provide for and improve active and passive recreational public and private open space. The purpose of this zone is that 'the areas included in this zoning objective cover both private and public open space and are dispersed throughout urban centres of every size. The Council will not normally permit development that would result in a loss of open space'. The proposed development for a house which occupies a portion of the open space/amenity zoning, would be contrary to this zoning objective. Accordingly, the proposed development would be contrary to the provisions of the Laois County Development Plan 2021-2027 and the proper planning and sustainable development of the area.

Siting and Design

The subject site has a stated area of 0.32ha. The applicant proposes to construct a four bedroom two storey dwelling with a stated area of 275sqm. The dwelling is contemporary in design with a pitched roof. Externally a nap plaster finish is proposed to the walls with a slate finish to the roof which extends to a maximum stated height of 8.5m.

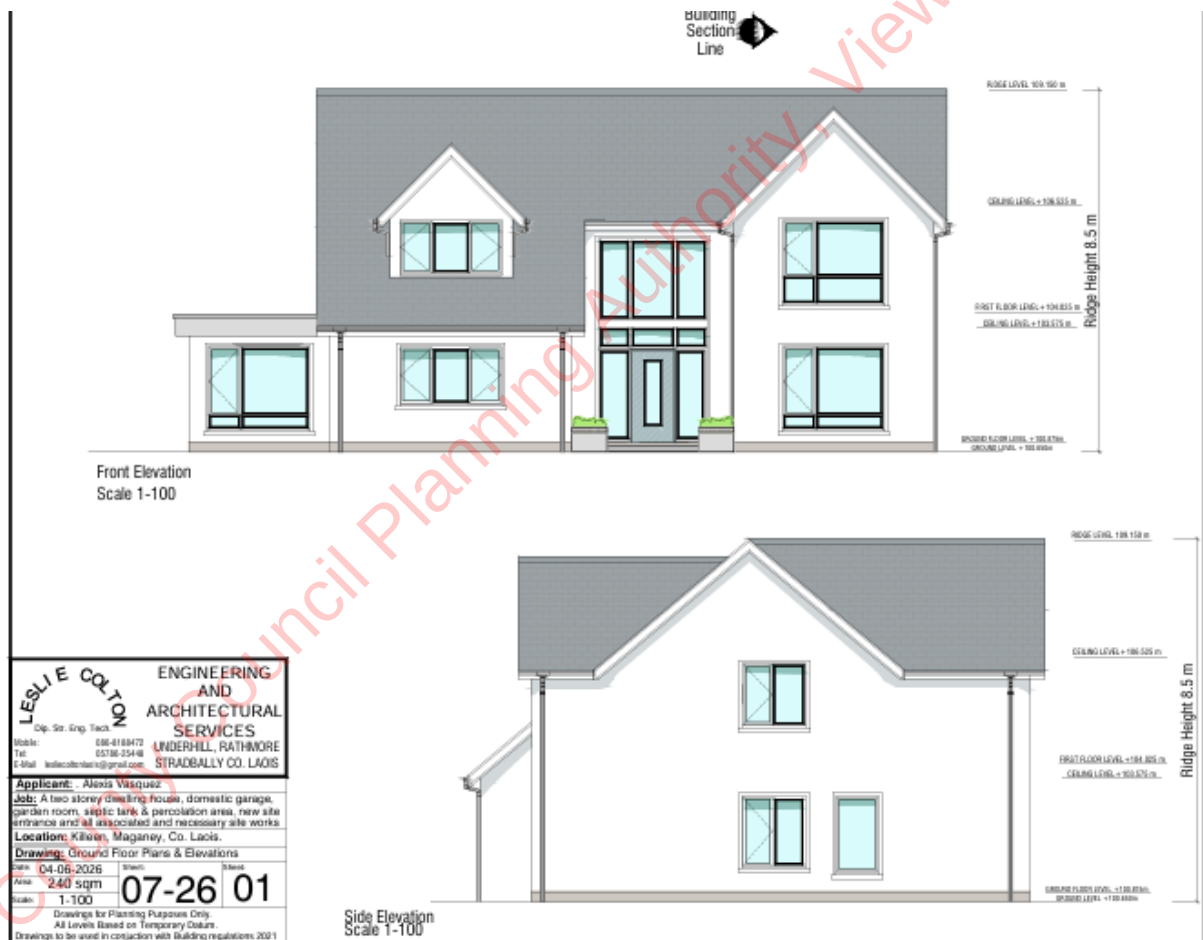


Fig 1 Proposed Development

It is considered given the modest scale of the dwelling and location within a village context that the proposed dwelling is acceptable.

The applicant proposes to locate the dwelling 39m from the centreline of the public road. The northern boundary of the site is defined by mature hedgerow as is the eastern and western boundaries. It is considered given the modest scale of the dwelling proposed together with mature boundaries around the site, appropriate placement of windows and setbacks from boundaries, that overlooking and over shadowing of adjoining properties will not arise.

The applicant also proposes to construct a domestic garage to the north-west of the proposed dwelling and adjoining the northern boundary. The proposed garage has a stated area of 29.4sqm and extends to a height of 4.975m with external finishes to match those of the dwelling. A 24sqm garden room is also proposed to the rear of the dwelling to a height of 3.2m.

Overall, it is considered given the modest height of all three structures proposed that the development will not have an undue negative visual impact on the area. It is further considered having regard to the scale, design and orientation of the proposed development in addition to the separation distance between the development and the nearest neighbouring dwellings that there is no potential for overshadowing or overlooking of any residential property. As such it is considered that the proposal will not negatively impact upon the character of the existing structures or the wider area.

Drainage

The proposed development consists of the provision of a septic tank and percolation area with a connection to a private well also proposed. Surface water will be disposed of to ground by way of on-site soakpit. A site suitability assessment has deemed the site suitable to accommodate the proposed septic tank system. The proposal has been assessed by the Planning Technician with responsibility for SSA, who has no objection to the proposed development noting that the SSA was carried out by Laois County Council. Further information has been requested by the MD Engineer in relation to that roadside drainage.

Access

The Applicant proposes to access the site by way of an access off the L-3992, Local Primary Road within the village speed limit. The applicant has indicated sightlines of 60m in both directions from the site entrance. Further information has been requested by the MD Engineer in relation to hedgerow removal to achieve the required distances. Further information has also been sought by the MD Engineer in relation to extension of the existing footpath and public lighting across the full frontage of the site.

Flooding

The site is partially located in Flood Zone A and B as outlined in the Strategic Flood Risk Assessment, contained in the Laois County Development Plan 2021-2027. It is noted that part of the proposed dwelling, the garage and entrance are located within the designated flood zone.

Flood Zone A is identified within the Laois County Development Plan 2021-2027 as areas at a 'High Probability of Flooding'. Most types of development would be considered inappropriate in this zone. Development in this zone should be avoided and/or only considered in exceptional circumstances where the requirements of the Justification Test set out can be met.

Flood Zone B is identified as a 'Moderate Probability of flooding'. Highly vulnerable development would generally be considered inappropriate in this zone, unless the requirements of the Justification Test can be met. Less vulnerable developments might be considered appropriate in this zone subject to a flood risk assessment to the appropriate level to demonstrate that flood risk to and from the development can and will be adequately managed.

The applicant has failed to submit a Site-Specific Flood Risk Assessment for the site. A Flood Risk Assessment should have been carried out in accordance with the Flood Risk Management Guidelines for Planning Authorities, Department of Environment, Community and Local Government (2009) prepared by a suitably qualified person, in accordance with the guidelines.

The proposed development, which constitutes a highly vulnerable type of development in relation to flood risk, would therefore be contrary to the provisions of the Laois County Development Plan 2021-2027, the Planning System and Flood Risk Management Guidelines [DoEHLG, 2009) and to the proper planning and sustainable development of the area.

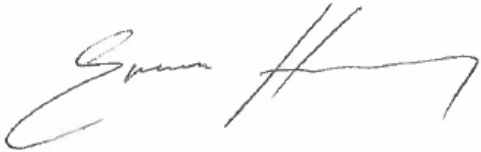
Contributions

It is recommended that should planning permission be granted, a financial contribution condition be included based on the floor area of the proposed dwelling, garage and garden room as per the Councils adopted Development Contribution Scheme, 2025 - 2031.

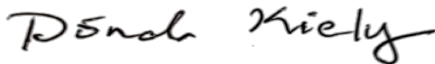
Recommendation:

In light of the foregoing, it is recommended that planning permission be refused for the following reasons:

1. The proposed development is partly located in an area where the stated zoning in the Laois County Development Plan 2021-2027, is Open Space / Amenity, the objective of which is to preserve, provide for and improve active and passive recreational public and private open space. The purpose of this zone is that 'the areas included in this zoning objective cover both private and public open space and are dispersed throughout urban centres of every size. The Council will not normally permit development that would result in a loss of open space'. The proposed development which would be partly located within this Open Space/Amenity zoning, would be materially contrary to this zoning objective. Accordingly, the proposed development would be contrary to the provisions of the Laois County Development Plan 2021-2027 and the proper planning and sustainable development of the area.
2. The proposed development is located in an area which is at risk of flooding (Flood Zone A and Flood Zone B), as indicated in the Laois County Council Strategic Flood Risk Assessment in the Laois County Development Plan 2021-2027 and the Office of Public Works Catchment Flood Risk Assessment and Management mapping. The proposed development, which constitutes a highly vulnerable type of development in relation to flood risk, would therefore be contrary to the provisions of the Planning System and Flood Risk Management Guidelines [DoEHLG, 2009) and to the proper planning and sustainable development of the area.



Emma Hennessy
Executive Planner
6th August 2026



Senior Executive Planner, 07/08/2026

Donal Kiely
Senior Executive Planner

POB 10.08.26

ANNEX 1

APPROPRIATE ASSESSMENT SCREENING REPORT

**APPROPRIATE ASSESSMENT SCREENING REPORT
AND
DETERMINATION**

(A) Project Details			
Planning File Ref	26/60385		
Applicant name	Alexis Vasquez		
Development Location	Killeen, Co. Laois		
Site size	0.61ha		
Application accompanied by an EIS (Yes/NO)	No		
Distance from Natura 2000 site in km	The River Barrow And River Nore SAC is circa 1.7km east of the subject site.		
Description of the project/proposed development Erect dwelling etc			
(B) Identification of Natura 2000 sites which may be impacted by the proposed development			
			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No
2	Impacts on sites designated for wetland	<i>Is the development within a Special Area of Conservation whose</i>	No

	habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River Barrow and Nore	<i>qualifying interests include wetland habitats (bog, marsh, fen or heath)</i>	
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> River Nore	<i>Is the development within a Special Protection Area?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
<i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the proximity of the nearest Natura 2000 site and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.		
Name:	Emma Hennessy	
Position:	Executive Planner	
Date:	06/08/2026	