

LAOIS COUNTY COUNCIL
PLANNING DEPARTMENT

PLANNING REPORT

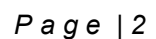
PLANNING REF: 26/60415



Applicant Name:	Shane Carney & Niamh Bracken
Development Description:	Construct a private dwelling house, domestic garage, new connections to mains foul sewer & water infrastructure, entrance onto public road and all ancillary site services.
Development Address:	Tirhogar, Killenard, Portarlinton, Co. Laois
Type of Permission:	Permission
Date of Site Inspection:	29/07/2026
Decision Due Date:	23/08/2026
Recommendation:	Further Information

Site Location / Context:

The subject site comprises approximately 0.12 hectares and is located within the defined development boundary of Killenard. The site consists of a substantial side garden associated with an existing single-storey bungalow, which is currently undergoing renovation and extension works. The site is bounded by this dwelling to the south and by a storey-and-a-half dwelling to the north. The site benefits from approximately 23.7 metres of frontage onto the L-3171 Local Primary Road, providing direct access. The surrounding area is characterised by established residential development of varying house types and scales. The site is zoned “Residential 1 – Existing Residential” within the Laois County Development Plan 2021-2027.



Proposed Development:

The site plan illustrates a residential development on a rectangular plot. The central feature is a 'PROPOSED HOUSE' with a footprint of 54.1m by 24.4m and a finished floor level (F.F.L.) of 105.20. To the left of the house is a 'PROPOSED GARAGE' with a footprint of 18.4m by 12.4m and an F.F.L. of 108.60. The site is bounded by a 'PROPOSED NATIVE SPECIES HEDGING AND POST AND WIRE FENCE' which delineates the boundary. The plan includes various setbacks and sightlines: a 'PROPOSED 80m SIGHTLINES' on the right, a 'PROPOSED 90m SIGHTLINES' at the bottom, and a 'SITE NOTICE LOCATION' marked on the right side. The plan also shows 'EXISTING TANK & PERCOLATION AREA' at the top left, 'EXISTING HEDGING TO BE RETAINED & MAINTAINED' along the top boundary, and 'PROPOSED CONNECTIONS - F/OU/ SURFACE WATER & MAINS WATER' on the right. The plan includes dimensions for the house, garage, and setbacks, as well as a list of proposed native species for the hedging: CRATAGAGUS MONOGYNA (WHITETHORN), ILEX AQUIFOLIUM (HOLLY), EUONYMUS EUROPAEUS (SPINDLE), VIBURNUM OPULIS (GUELDER ROSE), and HAZEL (CORYLUS AVELLANA). The plan also shows a 'SITE OUTLINED IN RED' and a 'SITE NOTICE LOCATION'.

EXISTING TANK & PERCOLATION AREA

PROPOSED HOUSE
F.F.L. 105.20

EXISTING HEDGING TO BE
RETAINED & MAINTAINED

PROPOSED GARAGE
F.F.L. 108.60

SITE OUTLINED IN RED

PROPOSED 80m
SIGHTLINES

PROPOSED NATIVE SPECIES HEDGING AND POST
AND WIRE FENCE TO DELINEATE BOUNDARY. A MIX
OF CRATAGAGUS MONOGYNA (WHITETHORN), ILEX
AQUIFOLIUM (HOLLY), EUONYMUS EUROPAEUS
(SPINDLE), VIBURNUM OPULIS (GUELDER ROSE) AND
HAZEL (CORYLUS AVELLANA) TO BE PLANTED IN
DOUBLE STAGGERED ROWS AT 300MM CENTRES AS
PER TEAGASC INFORMATION SHEETS.

SITE NOTICE LOCATION

PROPOSED CONNECTIONS - F/OU/
SURFACE WATER & MAINS
WATER

PROPOSED 90m
SIGHTLINES

Figure 2 – Extract of proposed Site Layout Plan

AA Screening:

A screening for Appropriate Assessment Report was prepared and is appended to this report. It concludes that no likely significant impacts are predicted due to the nature of the proposed development.

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 that, 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.

Zoning:

The development site is zoned “Residential 1 – Existing Residential” in the Laois County Development Plan 2021-2027.

Objective

To protect and enhance the amenity of developed residential communities.

Purpose

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, crèches, small shops, doctor’s surgeries, playing fields etc.

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.

Flood Risk:

The site is not within the critical Flood Zones A and B, as indicated on the Strategic Flood Risk Assessment of the Laois County Development Plan 2021 – 2027.

Landscape Character:

The site is within the Lowland Agricultural Area.

Archaeological and Architectural Heritage:

The site does not fall within any archaeological areas. There are no Protected Structures or Recorded Monuments on or adjacent to the site.

Submissions/ Observations / Representations:

The last date for receipt of submissions/observations/representations was 02/08/2026. None were received by the Planning Authority.

Pre-planning:

Pre-planning discussions have been held in relation to this proposal.

Planning History:

- | | |
|---------------|---|
| 83/69 | Planning application withdrawn |
| 84/239 | Planning permission granted to Danny Kiarnan to erect a bungalow and septic tank. |
| 91/257 | Planning permission granted to Terence Culleton to erect extension and septic tank. |
| 97/445 | Planning permission granted to Brenda Wright to erect dwellinghouse and septic tank. |

Referrals:

Internal Reports:

This application was referred to the following, with a summary of the reports received indicated below.

- | | |
|------------------------------|--------------------------------------|
| Municipal District Engineer; | No objection, subject to conditions. |
| Water Services; | No report at time of writing. |

Prescribed Bodies/External Reports

This application was referred to the following, with a summary of the reports received as indicated below.

- | | |
|----------------|--------------------------------------|
| Uisce Éireann; | No objection, subject to conditions. |
|----------------|--------------------------------------|

Policy and Objectives:

Laois County Development Plan (LCDP) 2021-2027

Summary of Key Planning Issues and Assessment:

Principle of the Development

The subject site is located on lands zoned “Residential 1 – Existing Residential” in the Laois County Development Plan 2021-2027, the proposed development is therefore acceptable in principle, subject to detailed assessment against other planning considerations which are discussed in detail within the remainder of this report.

It is also noted that a Section 97 Certificate was issued in respect of this development.

Siting, Design and Layout:

Permission is sought for the construction of a two-storey dwelling with a single-storey flat roof extension to the rear. The proposed building line is broadly in line with the adjoining dwelling to the north but is set further back from the adjoining dwelling to the south. This arrangement is considered acceptable, having regard to the established development pattern in the area.

The proposed dwelling has a stated floor area of approximately 269.5 sqm and an overall ridge height of 8.631 metres. The site slopes gently from front to rear, with a level difference of approximately 0.5 metres. External finishes are proposed as sand cement smooth render with a black slate/tile roof finish.

A discrepancy has been identified in relation to the proposed finished floor level. The drawings indicate an FFL of 108.20m, whereas the spot levels at the location of the proposed dwelling are shown as approximately 82.95m. Clarification is required in relation to the proposed levels and further information should be sought in this regard.

Concerns also arise regarding the relationship of the proposed dwelling with adjoining properties. In particular, a first-floor window serving the master bedroom on the southern elevation would directly overlook the rear garden area of the adjoining property, giving rise to potential overlooking and loss of privacy. Accordingly, further information should be sought to address the potential impact on residential amenity.

The applicant also proposes a detached garage to the rear of the dwelling with a stated floor area of approximately 44 sqm and an overall height of 4.611 metres. The external finish is consistent with that proposed for the dwelling. The design, scale and siting of the garage are considered acceptable.

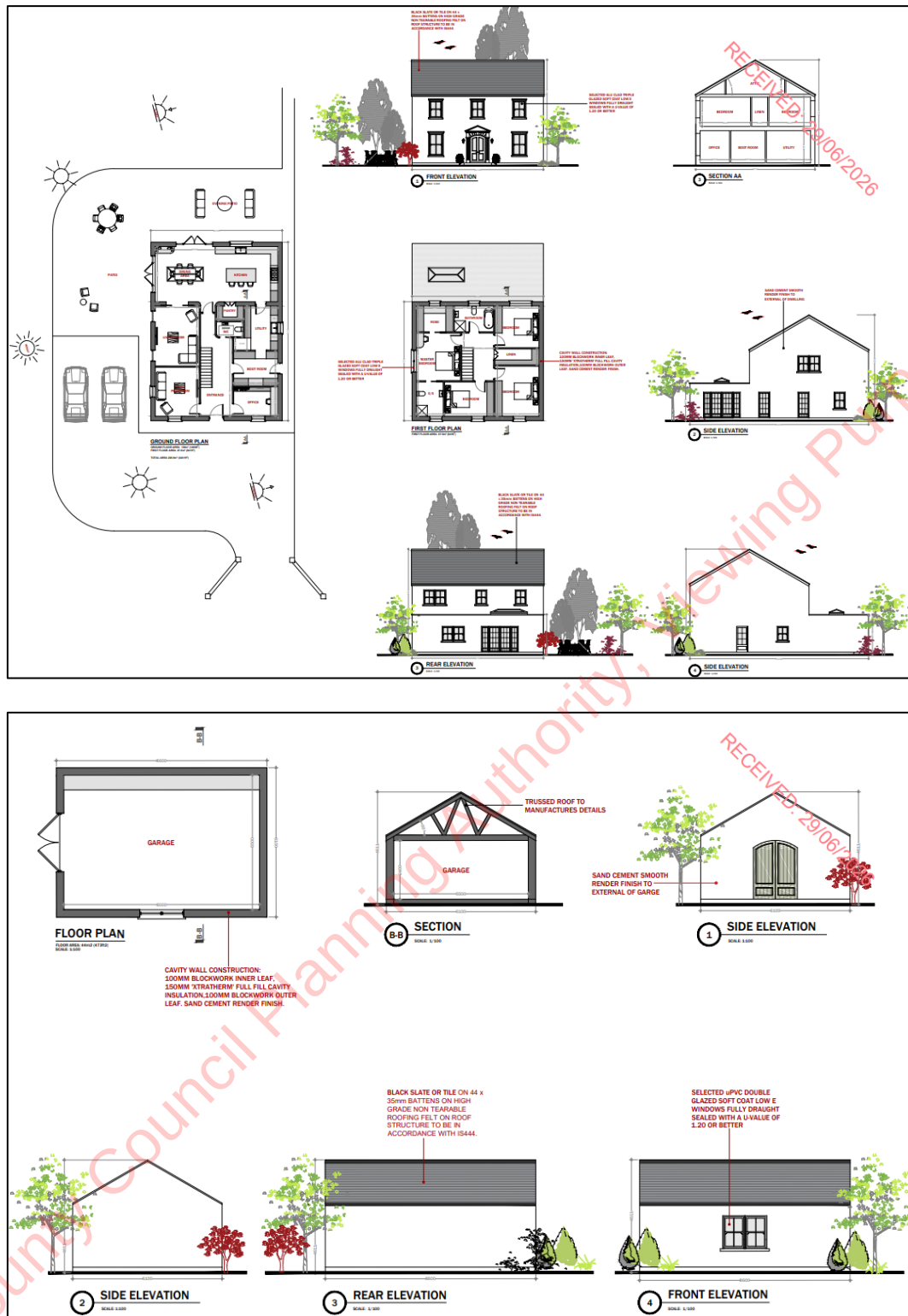


Figure 3: Proposed development

Density:

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) recognise that development in rural towns and villages should be tailored to local context and support compact growth through the utilisation

of lands within established settlement boundaries. Given the site's location within the village envelope and the limited scale of the proposal, the development is considered to align with the objectives of the Guidelines and represents an appropriate residential density in this village setting.

Boundary Treatments:

The proposed boundary treatment comprises the retention of the existing northern boundary, an existing capped block wall along the western boundary with native species hedging, and native species hedging with post-and-wire fencing along the southern boundary. The proposed southern and northern boundary treatments are not considered acceptable, as DM HS 10 requires side and rear garden boundaries to be 1.8m to 2.0m in height and formed by high-quality boundary treatments such as concrete block walls or concrete post-and-rail fencing. Notwithstanding this, landscaping adjacent to boundary walls is encouraged to enhance biodiversity and green infrastructure.

The front boundary consists of an existing rubble stone wall with mature vegetation growing over it. The submitted drawings do not clarify whether this boundary wall is to be retained or removed. Given its contribution to the character of the area, it is considered appropriate that the existing rubble stone wall be retained, except where removal is necessary to facilitate the proposed site entrance and to achieve the required sightlines. A condition to this effect is therefore recommended.

Services:

The applicant proposes to connect to the public mains water supply and the public foul sewer with surface water disposing to a public sewer. Confirmation from Uisce Éireann has been submitted demonstrating the feasibility of connecting to the public water and wastewater networks. Any connection shall be subject to a Connection Agreement with Uisce Éireann and compliance with all relevant standards, codes of practice, and infrastructure protection requirements.

Access:

The proposed development will be accessed via a new entrance onto the L-3171 Local Primary Road. The proposed entrance is located just outside the 50 km/h speed limit and within the 60 km/h speed limit zone, where sightlines of 90 metres are normally required in accordance with the Laois County Council Roads and Parking Standards.

The submitted drawings indicate sightlines of 90 metres to the south and approximately 80 metres to the north. While the northern sightline falls short of the standard requirement, the District Engineer has raised no objection to the proposal. Furthermore, the reduced sightline is considered acceptable in this instance due to the presence of a narrow bridge to the north of the site, which effectively slows traffic movements as vehicles are required to yield to oncoming traffic. Having regard to the local road conditions and the observations of the District Engineer, the proposed access arrangements are considered acceptable.

Contributions

Should planning permission be granted, a financial contribution condition will be included as per the Council's adopted Development Contribution Scheme (DCS), 2025-2031.

Recommendation:

In light of the foregoing, I recommend that the following further information be sought from the applicant:

1. Finished Floor Levels

The applicant is required to submit revised drawings and level details at an appropriate scale clarifying the discrepancy in the submitted drawings regarding site and floor levels. The drawings indicate a proposed Finished Floor Level of 108.20m, while spot levels within the footprint of the proposed dwelling are stated as approximately 82.95m.

2. Residential Amenity

The applicant is required to submit revised drawings at an appropriate scale addressing the potential overlooking and loss of privacy arising from the first-floor master bedroom window on the southern elevation of the proposed dwelling. The applicant shall demonstrate that the proposed development will not result in undue overlooking of the adjoining residential property to the south.

3. Boundary Treatments

The applicant is required to submit revised boundary treatment details and drawings at an appropriate scale for the northern and southern boundaries of the site. The proposed native species hedgerow with post-and-wire fencing does not comply with

DM HS 10, which requires side and rear garden boundaries to be 1.8m-2.0m in height and formed by high-quality boundary treatments such as concrete block walls or concrete post-and-rail fencing. The applicant shall submit revised proposals demonstrating compliance with DM HS 10 or provide a justification for any proposed departure from this standard.

Notwithstanding the above, landscaping adjacent to boundary walls, including the planting of native species hedgerows and other appropriate vegetation, is encouraged where feasible to enhance biodiversity, green infrastructure and the visual amenity of the development.

4. Foul Drainage

Clarify the foul drainage arrangements for the existing dwelling on the overall land holding due south. In particular, is it connected to the public network or does it have its own septic tank drainage system as is the case with the adjacent site due north?

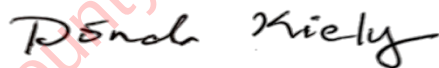
In this regard you are advised that in accordance with Development Management Standard DMRH 1 of the Laois County Development Plan 2021-2027, the minimum site curtilage for a site served by a septic tank drainage system shall be 0.202 hectares.^{dk}



Bryan Scully

Assistant Planner

17th August 2026



Senior Executive Planner, 19/08/2026

Agreed
D.J. O'Hara
Senior Planner

19/08/26

DB 20/08/2026

ANNEX 1

APPROPRIATE ASSESSMENT SCREENING REPORT

APPROPRIATE ASSESSMENT SCREENING REPORT AND DETERMINATION			
(A) Project Details			
Planning File Ref	26/60415		
Applicant name	Shane Carney & Niamh Bracken		
Development Location	Tirhogar, Killenard, Portarlinton, Co. Laois.		
Site size	0.12Ha		
Application accompanied by an EIAR (Yes/No)	No		
Distance from Natura 2000 site in km	The nearest Natura 2000 site is the River Barrow and River Nore SAC, which is located c. 1.75km north of the subject site.		
Description of the project/proposed development Construct a private dwelling house, domestic garage, new connections to mains foul sewer & water infrastructure, entrance onto public road and all ancillary site services.			
(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. Sites to consider: 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 habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath)</i>	No

	Barrow and Nore		
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

Selected relevant category for project assessed by ticking box.

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, it is not considered there would be potential for significant effects on the Natura 2000 network.

Name:	Bryan Scully
Position:	Assistant Planner
Date:	17/08/2026