

LAOIS COUNTY COUNCIL COMHAIRLE CHONTAE LAOISE



PLANNING REPORT

The proposed development at 102 Main Street, Portlaoise will consist of the demolition of the existing, derelict, three storey 'County Hotel' building (approx. 857 m²), the construction of a new, three storey, 864 m² apartment building, comprising of:

- 10 residential units and a communal/enterprise space at ground level,
- the construction of additional pedestrian access point to the site, varied boundary treatments and landscaping works and all ancillary site works.

Details of house types: TYPE A, 1 bed apartment (8 no.) and TYPE B, 2 bed apartment (2 no.).

The existing "County Hotel" building is a Protected Structure in the Laois County Development Plan 2021-2027, reference RPS 947. The proposed development is within the Portlaoise architectural conservation area RPS 947.


Nathan Smith
Senior Executive Planner


Donal Brennan,
Director of Services

Pursuant to **Part 8** of the Planning & Development Regulations 2001 as amended this report is submitted to the members of Laois County Council. In accordance with Section 179 (3)(a) of the Planning & Development Act, 2000 as amended, it is proposed to proceed as indicated in Section 8 of this report.


Michael Rainey
Chief Executive

DATE: 18 February 2025

TABLE OF CONTENTS

- 1.0 Foreword.**
- 2.0 Description of the Nature and Extent of the Proposed Development.**
- 3.0 Planning Policy.**
- 4.0 Likely Implications, if any, with respect to the Proper Planning and Sustainable Development of the area.**
- 5.0 Persons or Bodies who made Submissions or Observations with respect to the Proposed Development and response to submissions.**
- 6.0 Appropriate Assessment.**
- 7.0 Environmental Impact Assessment**
- 8.0 Flood Risk.**
- 9.0 Action Proposed.**

1.0. FOREWORD

This Planning Report has been prepared pursuant to Section 179 of Part XI, of the Planning and Development Act, 2000 as amended, and Articles 81, 82, 83 and 84 of Part 8, S.I. No. 600 of Planning and Development Regulations 2001 as amended.

Public advertisement of the proposed development was undertaken through the following media:

- A newspaper notice placed in the Leinster Express edition of Tuesday 23rd April 2024.
- The plans and particulars were available for viewing on Laois County Council's online consultation portal at <https://consult.laois.ie>
- A site notice was erected on site.

Submissions or observations with respect to the proposed development, dealing with the proper planning and the sustainable development of the area, were accepted online at <https://consult.laois.ie> before 5.00pm on 6th June 2024.

2.0. DESCRIPTION OF THE NATURE AND EXTENT OF THE PROPOSED DEVELOPMENT

2.1 Introduction

This report has been prepared to support a Part 8 planning proposal for the development of the County Hotel, Main Street, Portlaoise.

The existing "County Hotel" building is a Protected Structure in the Laois County Development Plan 2021-2027, reference RPS 947.

This proposed development is by Laois County Council in partnership with Cluid Housing.

2.2 Description of Location

The site fronts onto the eastern end of Main Street and is surrounded by commercial and residential properties. The properties on each side of the site are of two storey construction. The site area is c 0.05 hectares.

2.3 Summary of Proposed Works

It is proposed to demolish the existing County Hotel at Main Street and construct a new, three storey, 864 m² apartment building, comprising of:

- 10 residential units and a communal/enterprise space at ground level,
- the construction of additional pedestrian access point to the site, varied boundary treatments and landscaping works and all ancillary site works.

Details of house types: TYPE A, 1 bed apartment (8 no.) and TYPE B, 2 bed apartment (2 no.).

The existing "County Hotel" building is a Protected Structure in the Laois County Development Plan 2021-2027, reference RPS 947. The proposed development is within the Portlaoise architectural conservation area RPS 947.

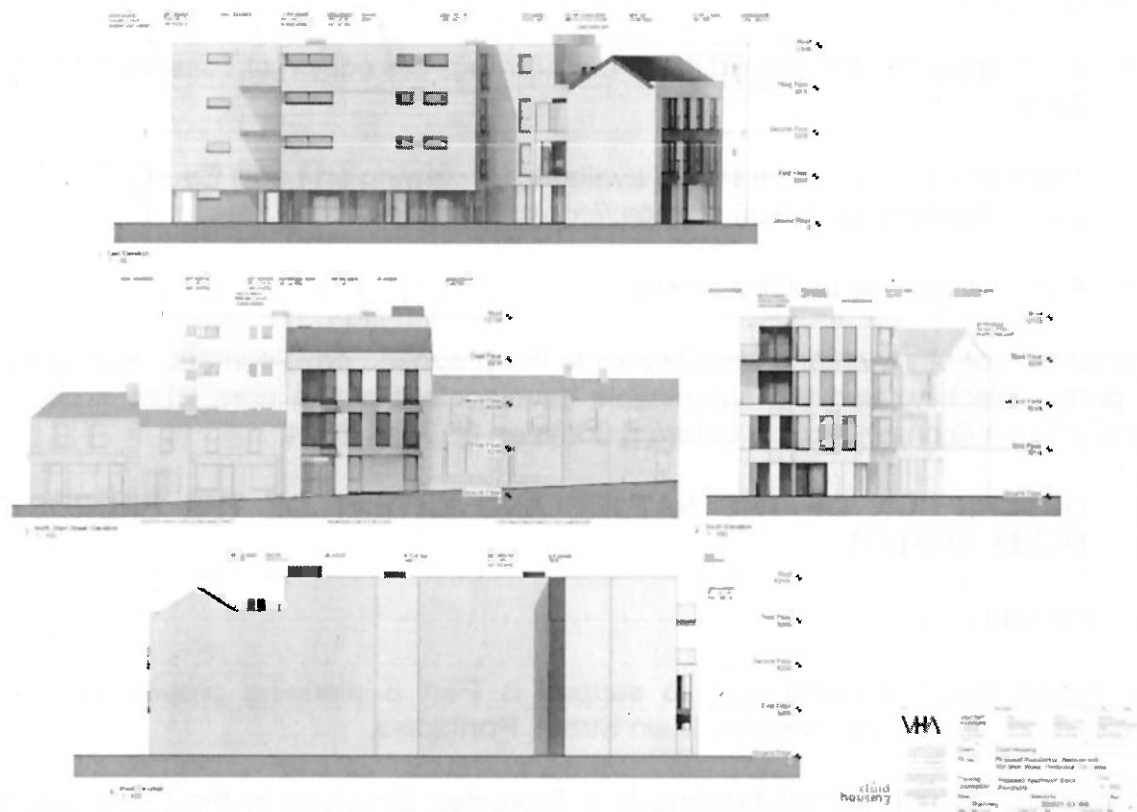


Figure 1: Proposed Block Elevations



Figure 2: Proposed Site Layout Plan

2.4 Zoning

The site is zoned for 'Town Centre' development in the Laois County Development Plan 2021-2027. Table 13.2 therein states that:

The objective of this land use zoning is to:

'To protect and enhance the special physical and social character of the existing town centre and to provide for and improve retailing and commercial activities'.

The purpose of this land use zoning is to:

'The purpose of this zoning is to enhance the vitality and viability of town and village centres through the development of under-utilised land and brownfield sites and by encouraging a mix of uses to make the town and village centres an attractive place to visit, shop and live in. The character of the town and village centres shall be protected

and enhanced. The Council will encourage the full use of buildings and backlands; in particular, the full use of upper floors in buildings, preferably for residential use'.

2.5 Design and Layout

The proposal is for a sizeable three storey building, with a total floor area of c.864sqm. The building fronting Main Street would be to an overall height of 11.355m from ground floor to ridge. To the rear the height of the building increases to c12.1m in height and would be a flat roof, with the proposed building extending to within the site.

The building is proposed to be finished in a mix render finish, fibre cement wall cladding, whilst the window would be generally double glazed, with a selected of those at first floor and above being opaque glass. The roof would be a standing seam zinc roof.

Drawing No. 200301-03-104 shows the proposed landscape plan and includes the following:

- Public open space to the rear of the proposed building, which would be for c. 36sq.m in the southern part of the site..
- A bin store is proposed adjacent to the public open space, with a mobility scooter charging room proposed in the south eastern corner of the site.

The landscaping comprises a mix concrete paving and historic paving flags. The boundary treatment includes a 2m high rendered concrete block wall along the eastern and western boundaries, which include a pedestrian gate for access adjacent to the public open space.

2.6 Servicing

- **Water Supply:** The building is proposed to connect to the public mains on Main Street.
- **Foul Effluent:** Foul effluent from the existing building on this site is currently discharged to the public sewer on Main Street. The proposed building would seek to connect into the public sewer on Main Street.
- **Surface Water:** Surface water from the site is currently discharged to the public sewer on Main Street. It is proposed to construct a new surface water conveyance system within the site, which will provide treatment, storage and infiltration to the existing surface water public main.

2.7 Access / Parking

Pedestrian access would be into the building from the Main Street, and the gated access to the rear of the proposed building. No car parking is proposed.

3.0. PLANNING POLICY

3.1 National Planning Framework and Regional Spatial and Economic Strategy

National and regional planning policy in relation to urban development focuses on regenerating and rejuvenating cities, towns and villages. In relation to the current proposal, it is noted that the National Planning Framework seeks to target a significant proportion of urban development on infill / brownfield development sites within the built footprint of existing urban areas.

National Policy Objective 4 seeks to:

Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being

National Policy Objective 6 seeks to:

Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

National Policy Objective 11 states:

In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

National Policy Objective 13:

In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

Following on from this, the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region sets out sixteen Regional Strategic Outcomes, which include:

- Promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens. (NSO 1) (Compact Growth and Urban Regeneration)

It is considered that the proposed development would enhance the vitality and viability of the town centre and Portlaoise Architectural Conservation Area, through the regeneration of this site.

The principle of the proposal is therefore in accordance with national and regional planning policy.

3.2 Local Planning Context

3.2.1 Laois County Development Plan 2021-2027

There are numerous policies and objectives in the Laois County Development Plan 2021-2027 which are both specifically and generally supportive of the proposal to provide a community hub and to bring an existing heritage asset back into use:

The aim of Chapter 4 (Housing Strategy) of Volume 1 states:

To facilitate the provision of housing in a range of locations to meet the needs of the county's population, with particular emphasis on facilitating access to housing to suit different household and tenure needs in a sustainable manner and in appropriate locations.

Relevant objectives of the Laois County Development Plan 2021-2027 include:

Housing Development Policy Objectives	
HPO 2	Secure the implementation of the Laois County Housing Strategy in accordance with the provision of national legislation and relevant policies and standards.
HPO 3	Support the regional Settlement Strategy, taking into consideration the estimated population growth set out within the NPF and RSES, and make provision for the scale of population growth and housing allocations.
HPO 4	To ensure that sufficient zoned land is available at appropriate locations to cater for the envisioned population growth within the County and to satisfy residential development needs within the County in compliance with the Core Strategy and Settlement Strategy of the Development Plan.
HPO 6	To plan for future housing needs and housing allocation within the County in accordance with the estimated population targets and the Core and Settlement Strategy, in order to facilitate the expansion of existing settlements in a planned, sequential and coordinated manner, which ensures development is built alongside the necessary infrastructure including works with Irish Water, and to consolidate the built-up area within the existing settlements. This ensures the creation of sustainable communities in line with national policy.
HPO 8	To ensure that an appropriate mix of housing types and sizes is provided in each residential development and within communities in keeping with Development Plan standards. All new housing development is expected to be of a high-quality design in compliance with the relevant standards.
HPO 9	To promote residential densities appropriate to the development's location and surrounding context, having due regard to Government policy relating to sustainable development, which aims to reduce the demand for travel within

Housing Development Policy Objectives	
	existing settlements, and the need to respect and reflect the established character of rural areas.
HPO 10	To promote best practice and innovative solutions in relation to the ongoing management and maintenance of all housing stock and associated public realm.
HPO 11	To ensure that investment in infrastructure is distributed in a balanced manner around the County, with priority given to designated growth towns in line with the Settlement Strategy and in accordance with the sequential approach for developments. This includes working with Irish Water to ensure infrastructure is being delivered in rural areas.
HPO 12	To encourage the allocation of housing near co-working spaces and remote working hubs, as well as new housing in proximity of community centres which offer co-working services. This can promote a sustainable growth of the towns and villages located to the west of the County, or where deemed appropriate, and address the rising commuting daily trend from County Laois to Dublin.
HPO 14	Promote residential development addressing any shortfall in housing provision through active land management and a coordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites, and underutilised sites. This includes backland development, thus promoting a more efficient use of zoned land.
HPO 15	Encourage and ensure high standards of energy efficiency in existing and new residential developments in line with good architectural conservation practice and promote energy efficiency and conservation in the design and development of new residential units, encouraging improved environmental performance of building stock. Improving environmental performance may include measures to reduce carbon emissions, improve resource use efficiency and minimise pollution and waste.
HPO 17	Meet the needs of the elderly by providing accommodation in central, convenient and easily accessible locations to facilitate independent living where possible.
HPO 19	Provide for the housing needs of those with disabilities through the provision or adaptation of appropriate accommodation.
HPO 20	Apply flexibility in the application of development management standards with the consideration of performance-based criteria appropriate to general location, which will provide high-quality design outcomes, where appropriate. This more dynamic performance-based approach, applicable to town centre, infill and brownfield locations, will facilitate flexible design solutions in instances where a proposal fulfils specific planning requirements.

Policy Objectives for Protected Structures

PS 1	Consult with the Department of Environment, Heritage and Local Government in considering planning applications that may affect Protected Structures or Architectural Conservation Areas (ACA). The Council will have regard to comments made by the Department and relevant guidelines such as the Architectural Heritage Protection: Guidelines for Planning Authorities (DAHG, 2011) and other pertinent guidelines regarding energy ratings for Protected Structures.
-------------	--

Policy Objectives for Protected Structures	
PS 2	Protect and conserve buildings, structures and sites contained in the Record of Protected Structures in accordance with 'Architectural Heritage Protection Guidelines for Planning Authorities' 2004 and ensure the effective promotion of the Architectural Heritage provisions of Planning and Development Act 2000 (as amended) and therefore the protection of Laois's built heritage, including Architectural Conservation Areas (ACAs) and Protected Structures.
PS 3	Any development, modification, alteration, or extension affecting a Protected Structure must be prepared by suitably qualified persons and Accompanied by appropriate documentation as outlined in the Architectural Heritage Protection Guidelines for Planning Authorities [DAHG, 2011] to enable a proper assessment of the proposed works and their impact on the structure or area and be carried out to best practice conservation standards. Its setting will be considered against the following criteria, and whether it is: a) Sensitively sited and designed; b) Compatible with the special character; c) Views of principal elevations of the protected structures are not obscured or negatively impacted; d) Of a premium quality of design and appropriate in terms of the proposed scale, mass, height, density, layout, and material so that the integrity of the structure and its curtilage is preserved and enhanced. Where appropriate, the Protected Structure status is used as a stimulus to the imaginative and considered design of new elements.
PS 5	Refuse planning permission for the demolition of any protected structure unless the Council is satisfied that exceptional circumstances exist. The demolition of a protected structure with the retention of its façade will likewise not generally be permitted.

3.2.2 Portlaoise Local Area Plan 2024-230

The Portlaoise Local Area Plan 2024-2030 also include a range of policies and objectives which are of relevance. The Strategic Aim of Section 6 (Town Centre Revitalisation) is as follows:

Strategic Aim: *To support the sustainable long-term growth of Portlaoise, in accordance with the Core and Retail Strategies of the Laois County Development Plan 2021 – 2027 and the Portlaoise Public Realm Strategy "2040 and Beyond: A Vision for Portlaoise: A Strategy for a Better Town Centre".*

Planning and Development Policies	
It is the policy of the Council to:	
TCR P2	Promote the reuse of existing town centre buildings through appropriate design and adaptation
TCR P5	Regenerate the town centre in accordance with "Portlaoise 2040 and Beyond A Vision For Portlaoise, A Strategy For A Better Town Centre";
TCR P9	Ensure all new developments have adequate refuse storage facilities.

Planning and Development Policies	
It is the policy of the Council to:	
H P1	Ensure that sufficient zoned land is available at appropriate locations to cater for the envisaged population growth of the Core Strategy
H P2	Require all new residential developments to be consistent with the Core Strategy of the Laois County Development Plan 2021-2027 and the settlement strategy of this plan
H P3	Promote and encourage the development of the critical mass of Portlaoise and to enhance its strategic location on the National and Regional road and rail network
H P4	Facilitate the provision of housing in a range of locations to meet the needs of the population, with particular emphasis on facilitating access to housing to suit different household and tenure needs, in a sustainable manner
H P5	To require the creation of sustainable, mixed and balanced communities and high-quality residential developments at appropriate locations with adequate amenities and facilities that meet the standards and guidance of: - Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, DEHG (2024) - Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023) - Urban Development and Building Height Guidelines for Planning Authorities (DHPLG, 2018) - The Design Manual for Urban Roads and Streets, DTTS and DECLG (2013) - The development management standards of the Laois County Development Plan 2021-2027

4.0 LIKELY IMPLICATIONS, IF ANY, WITH RESPECT TO THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

4.1 Planning Policy / Land Use

As stated in section 2.4 above, the site is zoned for "Town Centre" use in the Laois County Development Plan 2021-2027. Table 13.3 of the Laois County Development Plan 2021-2027 sets out the Land use Zoning Matrix and indicates that an "Apartment" use "will normally be acceptable".

Further to this, it is necessary to note that the proposed development meets the purpose of this zoning insofar as it will:

- Result in the development of an under-utilised and vacant building, land;
- Deliver residential development within Portlaoise which is a priority for residential growth
- Enhance the vitality and viability of the town centre;

Overall, there are no objections to the proposal apartments on this site.

4.2 Architectural Heritage

The site is located within Portlaoise Architectural Conservation Area. In addition the existing "County Hotel" building is a Protected Structure in the Laois County Development Plan 2021-2027, reference RPS 947.

The application is accompanied by a condition report which notes that the building has not been well treated and has suffered from insensitive refurbishments over the years which have resulted in the loss of historically significant design features and details. The building was assessed by the National Inventory of Architectural Heritage which states that it is of "Regional Importance".

Section 12.3.1.1 of the Laois County Development Plan 2021-2027 states that

Total or substantial demolition of a Protected Structure or any significant element of the Protected Structure will not be acceptable in principle, save in exceptional circumstances where demolition and redevelopment would produce substantial strategic benefits for the community which would decisively outweigh the loss resulting from demolition.

The condition report includes a photographic record. Photograph No. 2 notes that the building is currently detrimental to the streetscape of the Portlaoise Architectural Conservation Area, which has a negative impact and is contributing to the sense of deterioration and dereliction on the Main Street.

Photograph no.11 notes that the entire ground floor is in very poor condition with no surviving features other than the archway.

Photograph 34 notes that the second floor has been badly damaged by fire and access was not possible.

Overall, given the condition of the existing hotel, it is considered that exceptional circumstances exist to demolish the hotel and for the site to be redeveloped. The new building which has been sensitively designed that respects the Architectural Conservation Area, will deliver substantial benefits for the community by delivering 10no. apartments in a sustainable location in Portlaoise town centre. It would also significantly improve the Portlaoise Architectural Conservation Area and enhance the vitality and viability of the town centre.

Overall, the proposed development would preserve and enhance the special characteristics of the Portlaoise Architectural Conservation Area.

4.3 Landscape and Visual

Given the location of the site within Portlaoise town centre, it is considered that the visual impacts of the proposed development at this location will be positive as it will result in the development of under-utilised land.

The proposed development will not result in any significant degree of overshadowing of surrounding properties or houses..

4.4 Density

The density of the proposed development is 199 units per hectare.

4.5 Access and Carparking

Pedestrian access would be into the building from the Main Street, and the gated access to the rear of the proposed building. No car parking is proposed. However, given its location within the town centre, and in close proximity to the rail station, this is considered acceptable.

4.6 Noise and Vibration

Subject to good working practice during the construction phase, construction noise and vibration impacts will be kept to a minimum. The appointed Contractor will prepare a Construction Management Plan which will address mitigation measures to limit the direct impact on neighbouring residences, limit working hours and manage construction traffic in line with generally accepted practice in relation to mornings, evenings and weekends.

5.0. PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS WITH RESPECT TO THE PROPOSED DEVELOPMENT AND RESPONSE TO SUBMISSIONS.

Department of Housing, Local Government and Heritage

It is noted that the proposed development is located within the zone of archaeological potential associated with a Recorded Monument LA013041 Historic town, which is subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act 1994. Given the extent and location of the proposed development it could impact on subsurface archaeological remains.

In line with national policy, see Section 3.7 of Framework and Principles for the Protection of the Archaeological 1999, the Department recommends that the following archaeological conditions be included in any grant of planning permission that may issue.

Archaeological Conditions

1.

All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist.

2.

Should archaeological material be found during the course of works, the work on the site shall be stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the National Monuments Service of the Department with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

Reason:

To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest

Response

The response is noted and can be a matter of planning condition if permission is granted.

Uisce Eireann

As highlighted in the Confirmation of Feasibility for the development issued by Uisce Éireann and shown on the proposed plans, there is an existing foul sewer within the development site. The development seeks to build over this asset. Uisce Éireann does not permit build over of its assets. Therefore, further information is requested as follows. The applicant must engage with Uisce Éireann's Diversions team to assess feasibility of build over and / or diversion. The outcome of the engagement with Uisce Éireann's diversions team shall be submitted as a response to this Further Information request.

Response

The wastewater infrastructure has been designed in accordance with Uisce Eireann's latest standard details, code of practice and Building Regulations Part H. The design is subject to approval by Uisce Eireann after a Connection Application has been made and a Build over Application.

Due to the location of the existing pipe within the site and the requirement within Uisce Eireann's code of practice for private connections to be at 90 degrees to the main, two No. connections are required to accommodate this. Two No. Private inspection chamber will be provided within the site adjacent to the existing public main.

A Pre-Connection application was issued to Uisce Eireann on the 13th October 2021. A Confirmation of Feasibility (COF) was received on the 23rd March 2022 and can be seen in Appendix B of the Engineering Services Report.

The COF confirmed the development can be accommodated without infrastructure upgraded works but a Build Over application is required. A build over application will be made to Uisce Eireann once planning is granted. Once planning is granted a Connection application will be made to Uisce Eireann and a self lay agreement be entered into between the developer and Uisce Eireann

6.0 APPROPRIATE ASSESSMENT

6.1 Appropriate Assessment is a requirement of Article 6[3] and 6[4] of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, also known as the Habitats Directive.

6.2 Appropriate Assessment is an assessment of the potential effects of a proposed plan, on its own or in combination with other plans or projects, on one or more Natura 2000 sites [Special Protection Areas [SPA] for birds, Special Areas of Conservation [SAC] for habitats and species, Ramsar wetland sites].

6.3 In terms of Natura 2000 designations, an examination of the National Parks and Wildlife Service GIS database was undertaken. This exercise revealed that the site is neither within nor bounding an SAC or SPA. The site is located approximately 8.2km west of the River Barrow And River Nore Special Area of Conservation. It is located approximately 8.5km from the Slieve Bloom Mountains Special Protection Area

6.4 Having regard to the proximity of the nearest SAC (as indicated above) 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.

6.5 It is therefore considered that an appropriate assessment of the impact of the proposed development is **not** required.

7.0 ENVIRONMENTAL IMPACT ASSESSMENT

7.1 A determination was prepared as part of this proposal and was included with the public display drawings. The Planning Authority determined that the development would not be likely to have significant effects on the environment and that the preparation of an EIAR was not required.

8.0 FLOOD RISK

8.1 With regard to the issue of flooding potential, **none** of the lands included in the project site are within either Flood Zone A or Flood Zone B as identified in the Strategic Flood Risk Assessment of the Laois County Development Plan 2021 -2027.

8.2 Therefore a flood risk assessment of the impact of the proposed development is not required.

9.0. ACTION PROPOSED

9.1 The proposed development is in accordance with the objectives and policies of the National Planning Framework, the Eastern and Midlands Regional Spatial and Economic Strategy, the Laois County Development Plan 2021-2027 and Portlaoise Local Area Plan 2024-2030..

9.2 It is considered that the proposal would create a thriving, sustainable and successful new residential development in Portlaoise, thereby enhancing and vitality and viability of Portlaoise town centre. It is therefore in accordance with the proper planning and sustainable development of the area.

9.3 It is proposed to proceed with the proposed development subject to good development practice and any minor modifications that may be required as part of the detailed design process.