



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

10<sup>th</sup> April 2026

Senior Planner,  
Planning Department,  
Laois County Council,  
Aras an Chontae,  
JFL Avenue,  
Portlaoise,  
Co Laois.

**Re: Proposed Variation No. 3 to the Laois County Development Plan 2021-2027**

A chara,

Thank you for your authority's work on preparing the Proposed Variation No. 3 (proposed Variation) to the Laois County Development Plan 2021-2027 (County Development Plan).

As Laois County Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (Office) is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the proposed Variation pursuant to Part 3 of the Planning and Development Act 2024 (Act) and its functions under section 546 and this submission has been prepared accordingly.

Recommendations issued by the Office further to section 58(9) of the Act relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government. As such, planning authorities are requested to implement or address any recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations issued by the Office pursuant to section 546 of the Act may take the form of a request for further information or justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are considered necessary to ensure alignment

with policy and legislative provisions. Planning authorities are requested by the Office to action an observation.

A submission can also include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. Planning authorities are requested by the Office to give full consideration to the advice contained in a submission.

On adoption of the Variation, the Office will assess it in accordance with the statutory framework in section 63 of the Act.

## **Overview**

The Office welcomes the proposed Variation which provides for amendments to the Core Strategy and the introduction of additional residential land use zonings to give effect to the updated housing growth requirements set out in the NPF Implementation: Housing Growth Requirements (2025) (Housing Growth Guidelines).

The proposed Variation also incorporates a range of updates arising from the implementation of other section 28 Ministerial Guidelines including:

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024);
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018); and
- Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025).

Further proposed amendments relate to updates to the Record of Protected Structures and revisions to the zoning matrix.

The Office acknowledges and supports the revised housing growth allocation for the county and welcomes the approach taken in identifying new residential zonings in Portlaoise, the self-sustaining towns, and the smaller towns and villages.

The Office has, however, identified two sites in Portlaoise and one in Rathdowney which are poorly located in terms of the compact, sequential and sustainable growth of those towns. The Office also raises concerns regarding the disproportionate scale of growth in

some smaller towns, villages and unserviced settlements, where the approach should be reviewed.

In addition, the Office observes that three proposed zonings appear to conflict with the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) (National Roads Guidelines).

Finally, the Office has identified a number of significant issues relating to flood risk management to be addressed prior to the adoption of the Variation.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within this context the submission below sets out four (4) recommendations and one (1) observation under the following themes:

| <b>Key theme</b>  | <b>Recommendation</b>                                     | <b>Observation</b>            |
|---|---|-------------------------------|
| <a href="#">Implementation of the housing growth requirements</a> | -   | <a href="#">Observation 1</a> |
| <a href="#">Proposed new residential zonings</a>                  | <a href="#">Recommendation 1</a><br>and <a href="#">2</a> | -                             |
| <a href="#">Sustainable transport</a>                             | <a href="#">Recommendation 3</a>                          | -                             |
| <a href="#">Flood risk management</a>                             | <a href="#">Recommendation 4</a>                          | -                             |

### **1. Implementation of the housing growth requirements**

The Office welcomes the proposed Variation to provide for zoned lands to meet the Housing Growth Guidelines up to 2030. The variation proposes to zone an additional 279 hectares of residential land capable of accommodating 8,928 units. On this basis, the Office is satisfied that the revised zoned land provision provides sufficient capacity to meet the housing requirements of 9,330 units to 2030 (including 50% additional provision).

The Office welcomes the revised Core Strategy Table to reflect the proposed additional zonings, however the level of detail previously included in the adopted County Development Plan Core Strategy Table has not been provided. The revised table focuses solely on overall housing growth requirements and zoned hectares, omitting key information as set out in the Development Plans, Guidelines for Planning Authorities (2022) (Development Plans Guidelines), including settlement-level distribution, growth targets, and percentage allocations for each tier of the settlement hierarchy.

In this regard, the Planning Authority is required to review the information provided in the Core Strategy Table for clarity and consider the approach set out in appendix A of the Development Plans Guidelines as a best practice guide.

#### Observation 1 - Core Strategy Table

Having regard to the Development Plans, Guidelines for Planning Authorities (2022) (Development Plans Guidelines) the Planning Authority is advised to revise the Core Strategy Table to include additional elements as identified in the Development Plans Guidelines including, settlement-level distribution, growth targets, and percentage allocations for each tier of the settlement hierarchy.

### 1.1 Proposed new residential zonings

The Office welcomes the proposed zoning amendments across 25 settlements within the county, particularly the focus on the Key Town of Portlaoise. Overall, the majority of lands proposed for New Residential use, including those previously identified as Strategic Reserve, are considered to be consistent with planning policy for the proper planning and sustainable development of the area. Similarly, the proposed extensions to existing Strategic Reserve lands on adjoining unzoned areas are supported where no environmental, infrastructural, or flood-risk constraints have been identified. The reclassification of suitable infill lands to residential use is also welcomed, as these lands can make a positive contribution to compact, serviced, and sequential growth consistent with national planning policy.

Notwithstanding the above, the Office has concerns regarding the proposed zoning of New Residential zoned lands in Portlaoise (LS-PL-004 and LS-PL-016) and Rathdowney (LS-RD-003).

The planning rationale for the zoning of the Portlaoise LS-PL-016 lands in particular is unclear. These lands are remote from the town, located beyond the established built-up footprint as defined by the CSO boundary, and would result in an unwarranted extension of the settlement pattern along the R445 towards Junction 18 of the M7 motorway. The land is poorly served by existing local services, public transport, and active travel infrastructure, and any future residential development would be poorly integrated with established residential areas. As such, the proposed zoning objective raises significant concerns in

terms of compact and sequential growth, sustainable mobility, and adherence to the principles of the proper planning and sustainable development of Portlaoise.

LS-PL-004 Portlaoise similarly seeks to facilitate the outward expansion of residential development along the N77 towards junction 17 of the M7 motorway, and beyond the existing built-up footprint of the town as defined by the CSO boundary. These lands were previously subject to a section 31 Ministerial Direction requiring the deletion of the Residential 2 zoning objective. While the National Planning Framework First Revision (2025) (NPF) and the Housing Growth Guidelines necessitate the zoning of additional residential lands, it is not clear that these lands are required for the implementation of these revised policy requirements as sufficient alternative lands appear to be identified and zoned for residential development as part of the proposed Variation. In the absence of any clear rationale or justification advanced by the Planning Authority, the Office considers that the Ministerial Direction remains fully applicable and has not been adequately addressed.

In relation to LS-RD-003 at Rathdowney, the proposed zoning would similarly result in a linear extension of the settlement beyond the CSO-defined built-up footprint, undermining the existing character and form of the town, notwithstanding the availability of more centrally located lands within the town. The Office also notes that Strategic Reserve lands closer to the town core remain available for rezoning and would provide better access to established services and amenities within the town.

Overall, the inclusion of these lands would be inconsistent with the principles of compact and sequential growth, given their peripheral location and limited relationship to established residential areas and services.

In addition, a large number of new residential zonings have been introduced within lower-tier settlements, including small towns and villages, and, in some cases, within un-serviced settlements, which are disproportionate to the housing growth requirements in the Core Strategy. The rationale for zoning significant quantum of residential lands in these locations is not justified and is considered disproportionate to the relative size of the settlement. In this regard, the Planning Authority is recommended to omit these zonings on the basis of servicing capacity, lack of sustainable transport and on the basis that there are sufficient zoned lands available within these settlements in more central locations.

## Recommendation 1 - Residential Zoning (higher tier settlements)

Having regard to the provision of a sufficient supply of zoned lands to support compact and sustainable growth, and having considered the co-ordination of land use zoning, infrastructure and services, and in particular:

- NPO 9 of the NPF to ensure compact and sequential growth;
- NPO 43 of the NPF to prioritise the provision of new homes at locations that can support sustainable development;
- RPO 3.2 of the RSES to deliver compact growth;
- the NPF Implementation: Housing Growth Requirements (2025) to implement the housing growth requirements identified in the National Planning Framework First Revision (2025) through development plans; and
- the policy and objective of the Development Plans, Guidelines for Planning Authorities (2022) for sequential growth,

the Planning Authority is recommended to omit the following zonings:

- (i) Portlaoise (LS-PL-016);
- (ii) Portlaoise (LS-PL-004); and
- (iii) Rathdowney (LS-RD-003).

In relation to the lower-tier settlements in County Laois, the Office notes that a substantial volume of new residential zoning has been proposed within this variation, including small towns and villages, and in some cases within unserviced locations. These zonings are not supported by, nor aligned with, the housing growth requirements (including additional provision) set out in the Core Strategy and are disproportionate to the scale and role of these settlements. In many instances, they would result in development at peripheral locations where adequate and appropriately located zoned lands already exist within more central and sustainable areas. This approach runs counter to the principles of compact and sequential growth and the delivery of sustainable settlement patterns.

Accordingly, the Office recommends that the overall approach to zoning within lower-tier settlements be reviewed. Where proposed zonings are not consistent with compact and

sequential growth or cannot be clearly justified as necessary to ensure a sufficient supply of zoned land having regard to the Housing Growth Guidelines, such lands should not be included as part of the variation.

## Recommendation 2 - lower tier settlements

Having regard to the provision of a sufficient supply of zoned lands to support compact and sustainable growth, the co-ordination of land use zoning, infrastructure and services, and having considered:

- NPO 9 of the NPF to ensure compact and sequential growth;
- NPO 43 of the NPF to prioritise the provision of new homes at locations that can support sustainable development;
- NPO 26 of the NPF to support the proportionate growth of rural towns that will contribute to their regeneration and renewal;
- NPO 101, 102 and 103 of the NPF to consider the serviceability of land zoned for development;
- RPO 3.2 of the RSES to deliver compact growth;
- the NPF Implementation: Housing Growth Requirements (2025) to implement the housing growth requirements identified in the National Planning Framework First Revision (2025) through development plans;
- section 4.4 of the Development Plans, Guidelines for Planning Authorities (2022) to give effect to projected population and housing supply targets in the core strategy of the Laois County Development Plan 2021-2027 ; and
- the policy and objective of the Development Plans, Guidelines for Planning Authorities (2022) for sequential growth,

the Planning Authority is recommended to review the proposed approach to residential zoning within lower-tier settlements, including small towns, villages, and unserved locations. Where the following lands cannot be justified under the planning policy set out above, the subject lands and their associated residential zoning objectives should be omitted:

- (i) Borris in Ossory (LS-BY-002);
- (ii) Ballinakill (LS-BK-003);
- (iii) Ballybrittas (LS-BS-003);
- (iv) Errill (LS-ER-001 and LS-ER-003);
- (v) Ballacolla (LS-BC-002);
- (vi) Newtown (LS-ND-002); and
- (vii) Clough (LS-CU-001) - reduce the extent of the residential zoning to a scale proportionate to the scale, role and capacity of the village.

## **2. Sustainable transport**

National Policy Objective (NPO) 107 seeks to ensure the alignment of the NPF and the National Development Plan through delivery of the National Strategic Outcomes (NSO), particularly NSO 2 to maintain the strategic capacity and safety of the national road network, and is further supported by Regional Policy Objectives (RPO) 8.1 and RPO 8.2.

Sections 2.4 and 2.7 of the National Roads Guidelines require proposals for development of lands adjacent to national roads to be evidenced to demonstrate that national roads can continue to perform their strategic transport function into the future, and that particular care is required at locations at or close to junctions as additional traffic generated may lead to the premature and unacceptable reduction in the level of service available to road users.

The Office notes that a number of proposed rezoning sites are located in areas that may undermine the strategic function of the national road network, and thus compromise the carrying capacity, operational efficiency, and safety of the national roads.

Site Reference LS-PL-014 in Portlaoise is identified within a 60km zone, adjacent to an 80km zone. Similarly, Site Reference LS-SB-005 in Stradbally, LS-AX-001 and LS-AX-005 in Abbeyleix are all located in high speed locations with speed limits of greater than 50km.

As noted in the National Roads Guidelines limited access can be facilitated in areas of 60km where it would not result in proliferation of entrances onto the national road network. The Office supports the rezoning of the lands at these locations, however, the Planning Authority should provide for an evidence based analysis as to how the access

arrangements will be managed to demonstrate compliance with the national road policy as set out in the section 2.8 National Roads Guidelines, road safety requirements for a high speed location.

### Recommendation 3 - National roads

Having regard to the need to maintain the strategic carrying capacity and safety of the national road network, and having considered:

- NPO 107 of the NPF to support the delivery of National Strategic Outcomes;
- NSO 2 of the NPF Enhanced Regional Accessibility;
- RPO 8.1 of the RSES (maintenance and protection of the strategic function of national roads);
- RPO 8.2 of the RSES (management and enhancement of strategic land transport networks); and
- the Spatial Planning and National Roads Guidelines for Planning Authorities (2012);

the Planning Authority is recommended to review access arrangements and speed limits associated with the following sites to provide for an evidence-based justification for access onto the national road network in compliance with official national roads policy, road safety requirements for high-speed locations:

- (i) LS-PL-014 Portlaoise;
- (ii) LS-SB-005 in Stradbally; and
- (iii) LS-AX-001 and LS-AX-005 in Abbeyleix.

Where safe access cannot be provided, these lands should be omitted. The Planning Authority should consult with Transport Infrastructure Ireland in relation to this recommendation.

### **3. Flood risk management**

The Strategic Flood Risk Assessment (SFRA) identifies that portions of lands proposed for rezoning under LS-PL-013 and LS-PL-016 in Portlaoise, fall within Flood Zones A and B, including areas affected by the high-end future scenario.

With regard to LS-PL-013, it is noted that the full extent zoning map identifies that lands within the flood risk areas are being zoned for open space, however the excerpt in the proposed variation does not include this Open Space zoning. The Planning Authority should therefore clarify that lands identified within the flood zone will be zoned Open Space under LS-PL-013.

In relation to LS-PL-016, it is noted that part of the proposed existing residential zoning is located within Flood Zone A/B. In accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) development on existing residential zoned lands should be limited to extensions, renovations and/or changes of use. The Planning Authority is therefore required to include a policy in this regard noting the guidance set out in the Office of Public Works (OPW) submission.

The Office notes that a number of unmapped watercourses have been identified in the submission by the OPW. These watercourses, listed in Recommendation 4 below, have not been included or assessed in the SFRA accompanying the proposed Variation. Given the potential implications for land-use zoning and having regard to the proper application of the Flood Guidelines, the Planning Authority is required to undertake a comprehensive review of these watercourses. In particular, the Office advises that the Planning Authority must examine each identified watercourse to determine whether a Stage 3 detailed flood risk assessment is necessary to appropriately evaluate potential flood risk impacts arising from the proposed land use zonings. This assessment is essential to ensure that zoning decisions are fully informed by an evidence-based understanding of local hydrological conditions.

Where this further assessment identifies lands as being at risk of flooding, the Planning Authority must amend or omit land use zonings to water compatible uses only where it is found that highly vulnerable development is zoned within Flood Zones A/B or less vulnerable development in Flood Zone A, and the Plan Making Justification Test has not been passed.

## Recommendation 4 - Flood Risk Management

Having regard to flood risk management, and having considered:

- NPO 78 of the NPF (avoid inappropriate development in areas at risk of flooding that do not pass the Plan Making Justification Test (Justification Test));
- RPO 7.12 of the RSES (avoiding inappropriate land use zonings and development in areas at risk of flooding and to integrate sustainable water management solutions in accordance with the requirements of the Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines); and
- the Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines);

the Office recommends that the Planning Authority:

- (i) undertake a site visit to establish whether a Stage 3 detailed flood risk assessment is required with respect to each of the sites listed below. Where it is found that highly vulnerable development (Flood Zones A/B) or less vulnerable development (Flood Zone A) is proposed and the Justification Test has not been passed, the Planning Authority is required to amend or omit land use zonings to water compatible uses only:
  - a) Portlaoise LS-PL-001;
  - b) Portlaoise LS-PL-004 (See also Recommendation 1);
  - c) Portlaoise LS-PL-008;
  - d) Portlaoise LS-PL-012;
  - e) Portlaoise LS-PL-014;
  - f) Abbeyleix LS-AX-001;
  - g) Mountrath LS-MT-003; and
  - h) Killeshin LS-KS-001;

- (ii) amend land use zoning LS-PL-013 so that highly vulnerable development is not permitted on either Flood Zone A or Flood Zone B and less vulnerable development is not permitted on Flood Zone A; and
- (iii) include a policy to limit development on Residential 1 Existing Residential zoned lands to extensions, renovations and/or changes of use in accordance with the Flood Guidelines.

The Planning Authority is advised to consult the Office of Public Works in respect of this recommendation.

### **Other matters**

Further to the section 31 Ministerial Direction issued to your authority on 28<sup>th</sup> September 2022 in relation to the County Development Plan, the Office notes that the lands located to the southeast of Stradbally with direct access onto the R428 (Zoning Amendment 92, Item 2(c)(iii) of the Direction), were required to revert to 'unzoned'. However, the maps published as part of the proposed variation indicate that these lands are zoned Residential 2 - New Proposed Residential on the adopted zoning map for Stradbally. The Planning Authority is therefore advised to review and resolve this matter to ensure full compliance with the Ministerial Direction.

### **Summary**

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 58(11) of the Act must summarise these recommendations and set out how the Chief Executive proposes they should be dealt with.

Where a Planning Authority makes a variation, it is required to notify the Office **within one week** of the decision to adopt the Variation. Where an authority decides not to comply with the recommendations of the Office, then it shall inform the Office as soon as practicable and provide reasons for the decision not to so comply.


Your authority is also required to send the Office a copy of the Variation and any submissions made by the Minister, the relevant regional assembly and the National Transport Authority during the Variation preparation process.

Please be advised that planning authorities are also required to publish notice of the Variation within a week of the adoption, stating that a copy of the County Development Plan as varied will be available for inspection on a website and at a place specified in the notice no later than five weeks after the date of adoption.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through [plans@opr.ie](mailto:plans@opr.ie).

Is mise le meas,

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A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive, slightly slanted style.

**Anne Marie O'Connor**

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015

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