



19 December 2024

Laois County Council  
Senior Planner  
Áras an Chontae,  
JFL Avenue,  
Portlaoise,  
County Laois

Dear Sir/Madam

**Re: Draft Portarlington Joint Local Area Plan 2025-2031**

The Heritage Council was established in 1995 as a statutory body under the Heritage Act 1995 with a Council (the Board of the body) appointed by the Minister. The Heritage Council is a prescribed body under the provisions of the Planning and Development Acts 2000-2010 and S.I. No. 600/2001 of the Planning and Development Regulations, section 28 inter alia, in accordance with its functions under Section 6 of the Heritage Act, 1995.

We seek to provide submissions on forward planning, development management and strategic infrastructure developments as they relate to Ireland's heritage, namely built, cultural and natural heritage. We welcome the opportunity to comment on the Draft Portarlington Joint LAP. Our comments will deal with both built heritage and natural heritage.

Ireland's national heritage is defined in the Heritage Act, 1995 as including: 'monuments, archaeological objects, heritage objects, architectural heritage, flora, fauna, wildlife habitats, landscapes, seascapes, wrecks, geology, heritage gardens, and parks and inland waterways'.

*National and Local Policy Context*

It is important to state from the outset that the **National Planning Framework – Project Ireland 2040**, identifies "*Enhanced Amenities and Heritage*" as one of our national strategic outcomes. Within this, the NPF correctly notes that built, cultural and natural heritage has intrinsic value in defining the character of urban and rural areas, adding to their attractiveness and sense of place. National policy objectives 16, 17 and 52 in the NPF give further support to this ambition and there is a need to reflect this in LAPs.

**Development Plans – Guidelines for Local Planning Authorities** was prepared for county and city councils in June 2022. Within these guidelines, there are detailed requirements for local forward planning objectives. Features of special architectural, historical, or natural value are our heritage assets, and mandatory objectives under the themes of 'heritage and landscape' have been identified throughout these guidelines. There is an obligation on local authorities to ensure the inclusion of such objectives in their statutory plans.

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The 4<sup>th</sup> edition of Ireland's **National Biodiversity Action Plan (NBAP) 2023 – 2030** was published in January 2024. The NBAP states that "local authorities play a key role in biodiversity conservation through the planning system". There are several targets identified under Outcome 2A (*The protection of existing designated areas and protected species is strengthened and conservation and restoration within the existing protected area network are enhanced, regarding designated areas and protected species*) that are relevant for local authorities in their plan making functions. However, of key importance is Outcome 3C (*Planning and development will facilitate and secure biodiversity's contributions to People*). Action Numbers 3C2 and 3C3 are especially important, whereby the objectives of the NBAP are to be aligned and integrated within the statutory land use plans. In addition, actions 1B9, 1C5 should also be key considerations for all plans.

**Heritage Ireland 2030** was published in February 2022 and details a number of action points relevant for local authorities and these should be included in local area plans. Most importantly are Action 22 - *Introduce policies on supports for urban biodiversity and tree planting*; Action 26 - *Support nature-based solutions for land-use management*; and Action 37 - *Integrate heritage considerations into urban and rural regeneration to ensure that built and natural heritage objectives underpin the planning and development process and inform the 'Town Centres First' policy approach*.

The **Guidelines for Planning Authorities on Architectural Heritage Protection** were developed in 2004 and give expression to the provisions of the Planning and Development Act 2000, with regards to built heritage. Chapter 2 and 3 give detailed guidance on the role of statutory county level plans with regards to the Record of Protected Structures and Architectural Conservation Areas. The Office of the Planning Regulator has also provided guidance on **Archaeology in the Planning Process** through **Planning Leaflet 13**.

The Eastern & Midland Regional Assembly's **Regional Spatial & Economic Strategy 2019-2031** is the current regional plan for Counties Laois and Offaly. Whilst the RSES primarily deals with spatial planning matters at the regional level, there are several sections within the RSES that are relevant for LAPs. We would bring particular attention to Objective RPO 7.21, which aims to ensure that local authorities promote an ecosystem services approach to statutory land use plans, while Objective RPO 9.30 supports the sensitive reuse of protected structures.

The **Laois County Development Plan 2021 – 2027** has chapters on Biodiversity and Natural Heritage (Chapter 11) and Built and Cultural Heritage (Chapter 12). Policies BNH1 to BNH16 establish robust policy provision for ecological connectivity, designated sites and specific biodiversity ambitions. Whilst policy DM BNH1 and DM BNH2 details development management expectations for designated sites including proposed NHAs. Policies BNH25 to DM BNH5 also provide policy for the protection of trees and hedgerows. Matters of architectural and archaeological protection are clearly provided for through policies PS1 to DM ACA1 through to DM AH1, with further specific policies for landscaped demesnes and vernacular buildings also present in the county

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development plan. **Offaly County Development Plan 2021-2027** also has comprehensive policies in Chapter 4 and 10 for biodiversity and built heritage respectively.

### *Specific comments on the Draft LAP*

#### **Chapter 6 Development Vision and Strategy**

The vision should capture the importance of balancing future development with the protection of the town's natural and built heritage. Therefore, we commend the well-crafted vision statement in the draft plan, which we believe captures well the key themes that will guide the future development of the town. In addition, the strategic objectives detailed are comprehensive with heritage adequately noted in Objective 6.8. We would however recommend the following minor amendment to Objective 6.3 [addition in **bold**].

*Objective 6.3: Support and facilitate the regeneration and consolidation of the town centre, in line with the objectives of the 'Portarlington Regeneration Strategy 2030', **while emphasising heritage led regeneration.***

#### **Chapter 8 Town Centre Revitalisation**

Portarlington has a very attractive historic environment. The Main Street, particularly between Orchard Drive and the junction with Park Lane, has several attractive properties; with the rhythm and building form emblematic of a linear Irish townscape. The commitment, in line with the Portarlington Regeneration Strategy 2030, to pursue a heritage led regeneration in the town is supported. The Market Square including the Market House itself has remarkable potential. It is important to have noted this in Section 4.1. The draft LAP has rightly identified not just the Market House, put the public realm around it, as well as the associated perimeter buildings that envelop the square, as a key heritage led project for the town. The Heritage Council strongly support the ambition for this area, which we consider to be of game changing importance for the revitalisation of the town.

In this regard, we believe that there is merit to amend the strategic aim for this chapter as per the following [addition in **bold**].:

*To support the sustainable long-term growth of Portarlington, ensuring that the vibrancy and vitality of the town is maintained and enhanced. This will be achieved by regenerating town centre brownfield lands, the development of key opportunity sites, increasing the residential population of the town centre, and providing a high-quality town centre environment focused **on enhancing heritage**, on connectivity and active modes of travel.*

We believe that this captures and recognises not just future revitalisation work, but also the commendable work already carried out by Laois County Council to date e.g. Façade Enhancement Scheme, and the Shop Front Improvement & Accessibility Grant Scheme.

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The Heritage Council support compact growth and brownfield site development. Land activation measures and consolidation policies for the town centre are welcome. Within this context we support the identification of opportunity sites in Table 12. This is the specificity that is needed in LAPs. The opportunity sites have attempted to identify the main environmental constraints within the boundaries, which is very important.

It may be more suitable to give greater tangibility to what is expected in these locations, rather than a general “opportunity to create a sustainable development”. In this regard, it may be useful to note that the approach to site design/uses will be informed by site constraints, including environmental constraints. Finally, in relation to the assessments required for each opportunity site, it is important to recognise that the type of assessment depends on the development envisaged, and the existing site-specific environmental constraints. Therefore, we recommend amending the wording in the opportunity site tables as follows [addition in **bold**]:

*“Any development of the land should be informed by **the environmental constraints of the site and the associated following assessments, where pertinent...**”*

We also recommend that all the heritage assets be identified in each opportunity site. Ecological constraints (i.e. existing hedgerows/ tree stands and potential bat roosts) should also be detailed.

We strongly support policies Policy 8.4 and Policy 8.7. We also would recommend that the *Sustainable Residential Development and Compact Settlements guidelines*, published in January 2024 receive commensurate recognition in a policy/objective. They specifically note the importance of responsive placemaking for existing heritage as well as expectations for the application of density and development management standards. We recommend that both councils consult in detail these guidelines with specific concentration on the relevant sections for the settlement size of Portarlinton.

Furthermore, we would recommend that collaboration with other council departments, for example with housing departments to seek out derelict and vacant sites in central locations to ensure the public sector lead the way for tackling vacancy in Irish towns by providing new uses.

Finally, the traditional Irish townscape of linear townhouse development along arterial routes is an important part of our heritage. Protecting this heritage along with ensuring compact growth need not necessarily be conflicting objectives but can be achieved through a heritage led design approach that should be reflected in this section. Often historic linear terraced houses have a relatively high density-high coverage efficient land use typology that accommodates family homes. The more sustainable aspects of this design can be combined with more modern development typologies to achieve efficient use of land in settlements such as Portarlinton. These points would relate to the placemaking elements in the LAP also.

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## Chapter 10 Climate Change

The Heritage Council believe that at the level of first principles, together with the reuse of the embedded carbon in vacant buildings, that ensuring land use patterns and mobility are integrated, is the most important role the planning system has in reducing greenhouse gas emissions i.e. the cause of climate change. In addition, we also consider the following important:

- Ensure that any greenfield release makes efficient use of land, whilst providing the mix of homes necessary, and having densities and facilities, that are conducive to public transport roll out, and cycling and walking.
- Seek out sites that have poor ecological potential, informed by habitat mapping.
- Existing brownfield sites and well-located sites within the urban boundary are preferred in a sequential approach to development including any sites next to the train station.
- Active reuse of existing building stock, which does constitute much of our vernacular and urban heritage building stock.

Achieving this will reduce greenhouse gas emissions from the built environment but it will also ensure that land take is restrained and does not pose undue threats to cultural and natural heritage.

We would also note that development in the town has not and is not planned to coalesce around the train station which is at odds with national policy on transit orientated development, as well as standard planning policy. Whilst the current settlement boundary may restrict sites adjacent to the station to the south of the town, this could be reviewed going forward, with of course the exception of environmental assets, such as Carrick Woods or if there is flood risk. This is not unique to Portarlinton, as many Irish towns and villages appear to not have used existing train stations as pivot points for development.

## Chapter 13. Infrastructure, Environmental Services and Flood Risk Management

Water quality and aquatic ecology is strongly interlinked with flood risk management. There will be flood plains along the Barrow which circumvents the town centre. Development should be avoided in these locations, while we would recommend to all local authorities that any flood defence measures should be considered at the entire catchment level in the first instance. There is opportunity to manage flood risk via nature-based solutions, whereby lands liable to flooding should be avoided in terms of development, while at the same time natural habitats should be allowed to replenish in these flood plains. Flood plains and their riparian zone should be the “low hanging fruit” for ecological restoration measures given their unsuitability for development. While it is recognised that in urban areas where development has occurred, flood relief schemes may be needed; in the first instance, a whole river basin catchment approach to managing flooding should be pursued (as noted under actions 2D6 and 2D7 of the NBAP 2023-2030).

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Concurrently, there is need to ensure greater integration of nature-based rainwater management in planning policies and LAPs. The built environment and the large amounts of hardstanding present in settlements has a significant effect on surface water flows. The removal of permeable natural soils in favour of less permeable hard surfaces, whereby ‘volume control’ was largely the main surface water management consideration, has resulted in negative impacts on water quality and biodiversity also. Given the expected increase in the frequency of heavy rainfall events, there is need to incorporate appropriate nature-based features and storage solutions closer to source which can also have benefits for biodiversity and water quality. With this in mind, we recommend the following minor amendment to the strategic aim for this chapter.

*To facilitate future growth in Portarlinton in line with the capacity and availability of supporting infrastructure and environmental services, and in line with appropriate flood risk management measures **and nature based solutions**, ensuring such growth occurs in accordance with the principles of proper planning and sustainable development.*

It is also welcome to see note of the *Nature Based Management of Urban Rainwater and Urban Water Discharges, A National Strategy (May 2024)* noted as guidance in section 13.5. We would recommend the inclusion of “*Implementation of Urban Nature Based Solutions - Guidance Document for Planners, Developers and Developer Agents*” *LAWPRO (November 2024)* guidance in this section also.

In addition, we strongly welcome the inclusion of Policy 13.4, which captures well the importance of nature-based solutions. In this regard we would recommend either an amendment to this policy to account for the guidance noted in section 13.5 or to draft a new policy/objective along the following lines:

*Policy/Objective x: It is the policy of Laois/Offaly County Council to ensure that surface water management in new developments, and the design of nature based solutions, in line with Policy 13.4, reflect the following guidance:*

- *Nature Based Management of Urban Rainwater and Urban Water Discharges, A National Strategy (May 2024)*
- *“Implementation of Urban Nature Based Solutions - Guidance Document for Planners, Developers and Developer Agents” LAWPRO (November 2024) in this section also.*

## Chapter 14 Built Heritage

Portarlinton benefits from many historical assets. We strongly believe that conservation through use, and the refurbishment of existing historic buildings (designated and non-designated) should be a significant part of every settlement’s LAP. Heritage led regeneration can build on the existing character, which is unique, and cannot be recreated. As noted previously, we strongly commend the efforts made by Laois County Council in enhancing the built heritage of the county, as well as the ambitious proposals

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for the Market Square. Projects like this illustrate how small-scale investments in heritage conservation can act as a catalyst for increasing the liveability and attractiveness of towns. These initiatives not only conserve important historical sites but also contribute to the local economy by enhancing the town's appeal to both residents and visitors, creating a cycle of investment and redevelopment that benefits the broader community.

We urge Laois and Offaly County Council to build upon this heritage-led regeneration approach by prioritising the re-use or continued use of historic buildings. In this regard, the Heritage Council do have concerns that other planning considerations may be compromising more important strategic planning objectives. There is a need that quantitative development management standards are not applied bluntly to heritage buildings both designated and non-designated. This relates to parking standards, privacy distances and amenity standards etc. The challenges and costs associated with bringing heritage assets back into use may be considerable, and a more hospitable planning environment is needed. In this regard we welcome Policy 14.5, which is a positive encouraging policy for the continued use of heritage assets. We would also recommend a new policy/objective, based on the following:

*Policy/Objective x: Departures from development management standards to facilitate the continued use of historic buildings will be considered.*

The Record of Protected Structures (RPS) and Architectural Conservation Areas (ACA) designations are important policy and legislative provisions that protect our built heritage in Ireland. We note the intention to designate an Architectural Conservation Area in the town. As noted previously, there is merit in this goal, given the attractive streets and buildings in the town. In this regard the Heritage Council recommend the County Council consult the following document [Up the Town](#) which captures the historic essence of towns such as Portarlington. This can aid the approach to identifying the area of focus for a future ACA.

Finally, whilst there are many good policies and objectives in this section, we also believe that there is merit for a specific policy that captures the remarkable potential of the Market Square. This can include not just the Market House, which has been a good advancement, but also public realm, traffic calming and active street frontage policies. This would bring back the vibrant use of the square which would have been fundamental to its historic character as the key focal point in a market town.

The most successful public realm proposals anchor off the heritage assets that exist, using them as the centrepiece in new public realm projects. This can successfully contribute to the perception and experience of the built historic environment, which is all too often car dominated. In this regard we would recommend that public realm and landscaping proposals do not only concentrate on hard landscaping (paving, stonework). Greater emphasis on soft landscaping, that incorporates native plant species, will not just make the built environment more pleasant, but will also aid local biodiversity ambitions.

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In terms of archaeology, we note Policy 14.8 and welcome its inclusion. With regard to conservation by record, we recommend the following policy:

*Policy/Objective x: In cases where preservation by record is required, information and interpretation of the historic archaeology in and around the site should be part of the design considerations for the site. This can be achieved by street naming, and landscape and public realm design”*

## Section 15 Biodiversity and Natural Heritage

In terms of natural heritage, the new NBAP 2023-2030 has a list of targets that are relevant for planning authorities regarding their statutory plan making functions. We would strongly recommend that all local authorities audit this document to identify the relevant actions/ targets for land use statutory plans, and subsequently reflect them in their LAPs. Each local authority will also have its own biodiversity action plan in due course which needs to be incorporated into LAPs if timelines align.

The Heritage Council has particular interest in this chapter. There are several important provisions that forward plans, both county development plans and local area plans, should make policy for. The highest designation in an Irish context is the Natura 2000 network, namely Special Protection Areas, and Special Areas of Conservation. Natural Heritage Areas (NHAs) and proposed Natural Heritage Areas (pNHAs) sit beneath the European sites, while Nature Reserves may also be present in some local authority areas. In addition, there are many locally important biodiversity sites, that provide important habitats for ecological assets commensurate with county importance.

Portarlinton benefits from the River Barrow which is a designated Special Area of Conservation. An aquatic based SAC is not confined to the river channel itself, but also the riparian and flood zone. We welcome the description of this valuable ecological asset in section 15.2.1. Our comments on the water environment and nature-based solutions are also relevant here. While we also recommend that a policy be included that adequately reflects the importance of the aquatic environment by referring to the relevant guidance documents from Inland Fisheries Ireland, namely “Planning for Watercourses in the Urban Environment”, in the LAP.

We strongly support Policy 15.1, which covers all the designations. There is a need however to note the assessment requirements in this policy i.e. Appropriate Assessment in the case of the EU Directives sites, and ecological assessments for NHAs/proposed NHAs

Outside of designated sites there is a need to protect existing natural features hedgerows/ trees when new development is proposed. There is often needless removal of mature trees and hedgerows, of considerable character and ecological value, as part of site works to ‘tidy’ the site before construction commences. While opportunity sites within the town or any phased greenfield release should have stringent design standards for retention of natural features. We therefore recommend the following policy:

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*Policy X To resist unnecessary removal of existing natural features, such as hedgerows and stands of trees in any new development proposals. Such features should be integrated into the design of schemes as one of the key onsite environmental considerations.*

This would allow the local authority to implement the spirit of the Development Plan Guidelines which notes that the majority of the country “*lies outside of the network of protected sites, and that there are many other sites which are of local importance for flora and fauna*”. Local authorities have an important role to play in preventing the loss of such sites. Features such as hedgerows, river corridors, ponds and small stands of trees etc. provide important habitats, and land use plans can play an important role in protecting these assets. From an ecological view these linear features are one of few ecological corridors/hotspots in and around settlements. These ecological networks should have a level of protection in the LAP.

With this in mind we would bring attention to the Laois Habitats Survey 2010, which identified key ecological networks in settlements in Laois. Section 5.15 has detailed commentary on such networks, with specific ecological networks having been identified for Portarlinton. Such ecological networks include the River Barrow, associated wetlands and semi natural habitats; the Railway line and associated semi-natural habitats; and the wetlands in the countryside east of Portarlinton.

The Heritage Council welcome the emphasis on green infrastructure in this LAP. The protection of these green assets will have benefits for biodiversity and water quality. The Heritage Council wish however to ensure that ecological networks are distinct amidst the general green infrastructure network. Several features of green infrastructure, particularly green spaces, active travel and recreation routes may have only limited ecological potential and depend highly on design and maintenance regimes. Whilst we encourage local authorities to design such features with nature in mind, we ask that this distinction be made in the plan.

We would also encourage active TPO work in the form of a fresh ‘walk about town’ assessment of trees of important ecological and character value with the view to identify further TPOs. We also recommend that “*Amenity Trees and Woodlands – A guide to their Management in Ireland*” published by the Tree Council of Ireland, be identified as source in the relevant section of the LAP, including in the green infrastructure commentary

### **Strategic Environmental Assessment/ Appropriate Assessment**

There will be an SEA and Appropriate Assessment required for the LAP. There is a need to ensure that all future policies drafted are individually assessed against the SEA objectives, when the time comes. The Heritage Council recommends that the SEA guidance prepared by the Office of the Planning Regulator (OPR) be consulted when preparing the SEA for the LAP.

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### *Conclusion*

The Heritage Council strongly encourage both county councils to continue to acknowledge the primacy of Portarlington's heritage resource. The built and natural heritage of the town should be the focus for guiding any future strategy. We recommend that this important heritage and character continues to guide a sustainable future development trajectory for the town and its environs.

I trust these comments will be considered carefully as both Laois and Offaly County Council progresses the Portarlington Local Area Plan 2025-2031.

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