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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 19/591**

**Appeal** by Brendan McEvoy of Pallas Little, Portlaoise, County Laois against the decision made on the 17<sup>th</sup> day of December, 2019 by Laois County Council to grant subject to conditions a permission to John Holohan care of JK Design of Tullamoy, Stradbally, County Laois in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a welfare facility to include toilet and canteen, installation of a new wastewater treatment system and percolation area. Retention of the mobile unit (currently used as a mobile facility) for the duration of the construction works and associated site works at Pallas Little, Portlaoise, County Laois.

**Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the provisions of the Laois County Development Plan 2017-2023 and the nature and scale of the proposed development and the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention is sought would be acceptable in terms of public health, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety. The proposed development and the development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2.
  - (a) The permission for the retention of the mobile home structure on site is a temporary permission only and will expire two years after the date of the final grant of permission, or on completion of the permitted welfare building on site, whichever is the sooner.
  - (b) Within one month of the expiration of the retention permission for the mobile home structure, the mobile home structure shall be removed from the site.
  - (c) Within two weeks subsequent to the removal of the mobile home structure from the site, photographic evidence demonstrating satisfactory compliance with this condition shall be submitted to the planning authority.

**Reason:** In the interests of clarity, visual amenity and the proper planning and sustainable development of the area.

3. (a) The development hereby permitted shall be used solely in connection with the established agricultural use of the site and shall not be used, sold, let or leased for other purposes. No business, trade or commercial activity of any kind whatsoever shall take place on the site.
- (b) The proposed welfare unit shall be used only as a tack room, canteen and wash/bathroom facilities ancillary to the agricultural use on site. The welfare unit shall not be used for habitable purposes.

**Reason:** In the interests of clarity and the amenity of property in the vicinity and the proper planning and sustainable development of the area.

4. Details of the materials, colours and textures of all the external finishes to the proposed welfare facility shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

5. The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled 'Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)' – Environmental Protection Agency, 2009.

**Reason:** In the interest of public health.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

**Reason:** In the interest of public health.

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**