



An  
Bord  
Pleanála

**Board Direction**  
**BD-015272-24**  
**ABP-315511-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/01/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the provisions of the Laois County Development Plan 2021-2027 and the nature, extent and location of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would 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.

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

2.	<p>The boundary wall shall be constructed in accordance with plans and particulars received by the Planning Authority on the 4<sup>th</sup> day of November 2022 and shall be plastered and capped.</p> <p><b>Reason:</b> in the interest of visual amenity.</p>
3.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p><b>Reason:</b> In the interest of sustainable waste management.</p>
4.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including dust minimisation and measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.</p> <p><b>Reason:</b> In the interest of amenities, public health and safety.</p>

**Note:** The applicant is advised that Section 34(13) of the Planning and Development Act 2000, as amended, states that 'A person shall not be entitled solely by reason of

a permission under this section to carry out any development'. Thus, in the event of any grant of planning permission, the onus is on the applicant to ensure that they have adequate legal interest to carry out the proposed development.

**Board Member**



Mary Cregg

**Date:** 14/02/2024