



An
Bord
Pleanála

Board Direction
BD-017411-24
ABP-315944-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/02/2024, 23/05/2024 and 05/09/2024.

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

The Board considers that the proposed retention of these structures, within an existing industrial site, would be ancillary to existing authorised use and would not result in an intensification of activity, would accord with the policies of the Laois County Development Plan 2021-2027, would not endanger traffic safety or injure the residential, visual or environmental amenities of the area and, therefore, would be in accordance with the proper planning and sustainable development of the area.

Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The buildings/structures shall not be used for the storage of any hazardous materials.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Storm water shall be channelled to the existing stormwater drainage system, managed and contained within the curtilage of the landholding, subject to the detailed requirements of the planning authority.</p> <p>Reason: In the interest of public health and the proper planning and development of the area.</p>
4.	<p>All foul waste and soiled water shall discharge to the existing wastewater treatment system on site.</p> <p>Reason: In the interest of environmental protection.</p>
5.	<p>All temporary and permanent overground fuel/chemical storage tanks shall be adequately bunded to protect against spillage and leakage etc. Bunding shall be impermeable and shall be capable of retaining a volume equal to</p>

	<p>1.50 times the capacity of the overground storage tank it is being provided for. Filling and off-take points shall be located within the bunded area.</p> <p>Reason: In the interest of public health and environmental protection.</p>
6.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

Note: For clarity, the Board was satisfied that the nature of the development to be retained comprising storage sheds, welfare facilities and ancillary works does not comprise a class for the purpose of EIA (also no schedule 7a information submitted or required to be submitted) and, accordingly, no EIAR or preliminary examination for the purpose of EIA is required.

Board Member

Joe Boland

Date: 05/09/2024