

An
Bord
Pleanála

Board Direction
BD-019545-25
ABP-319551-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/04/2025.

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 policies of the Laois County Development Plan 2021-2027, including policy objectives OM RL 1, RL 1 and RL 4, it is considered that subject to compliance with the conditions set out below, the proposed development to be retained would not seriously injure the amenities of the area, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 28th day of September, 2023 and further plans and particulars received by the planning authority on the 6th day of March, 2024 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. The proposed development shall be restricted to the use as indicated in the plans and particulars submitted with the application. There shall no retail sales to the general public from the application site.

Reason: In the interests of clarity and to regulate the use of the development in the interests of the proper planning and sustainable development of the area.

3. Within 3 months of the date of this Order, the developer shall submit to, and agree in writing with, the planning authority the following:

(a) A Lighting Report prepared by a suitably qualified lighting consultant to demonstrate that the existing on-site lighting serving the development does not adversely impact road users using the adjoining regional route (R445).

(b) Revisions to the existing lighting layout, if recommended in the Lighting Report subject of (a) above. These works shall be carried out in full within 3 months of the written agreement of the planning authority.

Reason: In the interest of traffic safety and to protect the rural character of the area.

4. During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times , (corrected for a tonal or impulsive component) as measured at the nearest dwelling. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority within 3 months of the date of this Order.

Reason: To protect the residential amenities of property in the vicinity of the site

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of

development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning ABP-319551-24 Inspector's Report Page 18 of 24 authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

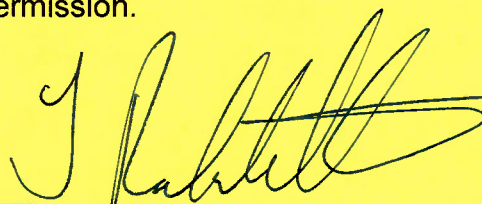
6. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of visual amenity.

7. 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. Details of the application of the terms of the Scheme 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 the proper application of the terms of the Scheme.

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.

Board Member



Tom Rabbette

Date: 25/04/2025