

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Laois County

Planning Register Reference Number: 16/153

An Bord Pleanála Reference Number: PL 11.247052

APPEAL by Peter Sweetman and Associates of 14 Postnet, 113 Lower Rathmines Road, Dublin against the decision made on the 19th day of July, 2016 by Laois County Council to grant subject to conditions a permission to VP Equipment Rental (Ireland) Limited care of Jason Redmond and Associates Consulting Engineers of 31 Jessop Street, Portlaoise, County Louth in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of:- (1) Change of use for the identified sub-divided yard from existing approved truck and container park to proposed hire depot for construction and construction related equipment. (2) Erect four number prefabricated single storey buildings including two number offices, one canteen and one toilet block. (3) Erect a new 30 metres by 15 metres single storey workshop. (4) Erection of new 2.4-metre-high palisade fence and two number vehicular access gates to sub-divide existing yard. (5) Erection of associated signage at the main site entrance, all at Clonminham Business Park, 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 location scale and nature of the proposed development and to the provisions of the Laois County Development Plan 2011-2017 and Portlaoise Local Area Plan 2012-2018, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience, would not seriously injure the amenities of the area and 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, as amended by the further plans and particulars submitted the 24th day of June, 2016, 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. Details of the materials, colours and textures of all external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

4. The road works associated with the proposed development shall be carried out and completed in accordance with the requirements of the planning authority.

Reason: In the interest of traffic safety and orderly development.

5. Receptacles for waste shall be provided and available for use at all times on the premises in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area.

6. No additional floor space shall be formed by means of internal horizontal division within the buildings hereby permitted unless authorised by a prior grant of permission.

Reason: In order to control the intensity of development in the interest of amenity.

7. No advertisement or advertising structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the site unless authorised by a further grant of permission.

Reason: In the interest of visual amenity.

8. 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.

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

Dated this day of 2017.