

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Laois County**

**Planning Register Reference Number: 16/199**

An Bord Pleanála Reference Number: PL 11.247663

**APPEAL** by Peter Sweetman and Associates of 14 Postnet, 113 Lower Rathmines Road, Dublin against the decision made on the 7<sup>th</sup> day of November, 2016 by Laois County Council to grant subject to conditions a permission to Gaelectric Energy Storage Limited of Portview House, Thorncastle Street, Ringsend, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of Electrical substation (area 60 square metres), related equipment, new hardstanding area for external battery equipment, signage on internal entrance gate and proposed substation wall, fencing enclosure to site with security gate and all associated site development works, all on a site of 0.35 acres within existing site of Midlands Container Depot Limited, Clonminam Business Park, Knockmay, 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 2011-2017 and the Portlaoise Local Area Plan 2012-2020, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate use for the site and would not have significant adverse impacts on the environment or amenities of the area. The proposed development 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 on the 3<sup>rd</sup> day of August, 2016 and the 13<sup>th</sup> day of October, 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. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

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

3. The proposed development shall connect to the existing hydrocarbon interceptor on adjoining lands. Prior to commencement of development on site, the developer shall submit a written agreement with the owner of the interceptor to allow access to same for written approval of the planning authority. The developer shall also submit an annual maintenance contract for the hydrocarbon interceptor for the written approval of the planning authority.

**Reason:** In the interest of proper planning and sustainable development.

4. The internal road network serving the proposed development shall comply with the detailed standards of the planning authority for such road works.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

5. 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. The 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 interest of public safety and residential amenity.

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

**Reason:** In the interest of sustainable waste management.

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.

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

**Dated this            day of            2017.**