



An  
Bord  
Pleanála

## Board Order ABP-315944-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 22/751**

**Appeal** by Thomas McEvoy of Grallow Lodge, Ballymullen, Abbeyleix, County Laois against the decision made on the 14<sup>th</sup> day of February, 2023 by Laois County Council to grant permission subject to conditions to Booth Precast Limited care of AOCA Engineering Consultants of Lismard House, Timahoe Road, Portlaoise, County Laois in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Retain four number staff welfare containers to facilitate social distancing requirements as per Covid guidelines; (b) three number steel storage containers with canopies to provide shelter for workers; (c) one number mechanics storage container; (d) single lean-to shed to provide shelter for materials storage and all associated site works at Ballymullen, Abbeyleix, 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.

## Reasons and Considerations

The Board considered that, subject to compliance with the conditions set out below, 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 and would not endanger traffic safety or injure the residential, visual or environmental amenities of the area. The development proposed to be retained 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, 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 and the development shall be retained and completed in accordance with the agreed particulars.

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

2. The buildings/structures shall not be used for the storage of any hazardous materials.

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

3. 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.

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

4. All foul waste and soiled water shall discharge to the existing wastewater treatment system on site.

**Reason:** In the interest of environmental protection.

5. All temporary and permanent overground fuel/chemical storage tanks shall be adequately bunded to protect against spillage and leakage. Bunding shall be impermeable and shall be capable of retaining a volume equal to 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.

**Reason:** In the interest of public health and environmental protection.

6. 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 within three months from the date of this Order 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.

**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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**Joe Boland**

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

Dated this 12<sup>TH</sup> day of September 2024