

An  
Coimisiún  
Pleanála

Commission Order  
PL-501262-LS-26

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**Planning and Development Act 2000, as amended**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 2560769**

**Appeal by** Thomas McEvoy against the decision made on the 17<sup>th</sup> day of April 2026 by Laois County Council to grant, subject to conditions, a permission to Tullen Concrete Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (i) Retain alteration (Roller Door to Side Elevation) made to existing Industrial unit previously granted planning Ref 10/290. (ii) Retain two number storage containers and two number staff office containers. (iii) Full planning permission to construct an extension to the rear of existing Industrial unit. (iv) Full planning permission to construct a new Industrial unit with all associated site works, all 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

Having regard to the overall nature, scale and design of the subject development within an existing industrial site context, it is considered that, subject to compliance with the conditions set out below, the proposed development and works to be retained would be ancillary to the existing authorised use on the appeal site, would not result in a significant intensification of established activity on the site, would accord with the policy objectives of the Laois County Development Plan 2021-2027 insofar as they relate to rural development, would not be prejudicial to public health, the environment or visual 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 carried out and completed in accordance with the plans and particulars lodged with the application and the further plans and particulars received by the planning authority on the 30<sup>th</sup> day of March 2026, 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 development shall be used solely for the purposes as detailed on the submitted plans and particulars date received by the planning authority with the application. No change of use shall take place without a prior grant of planning permission (notwithstanding the provisions of the Planning and Development Regulations 2001 (as amended)).

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

3. The permission hereby granted for the use of storage containers is for a temporary period of three (3) years from the date of grant of this permission decision. The use shall not continue beyond this period, and the containers shall not be retained or used thereafter without the prior written permission of the planning authority.

**Reason:** In the interests of orderly development.

4. Details of the materials, colours and textures of all the external finishes to the proposed building and proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

5. Water supply and drainage arrangements for the site, including the disposal of surface soiled water and wastewater, shall comply with the requirements of the planning authority for such works and services.

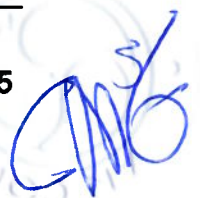
**Reason:** In the interest of environmental protection and public health.

6. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters and surface waters, site housekeeping, emergency response planning, site environmental policy and project roles and responsibilities.

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

7. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of properties in the vicinity.



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 Coimisiún 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.

  
Chris McGarry

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.

Dated this  day of  2026