

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Wicklow County

**Planning Register Reference Number: 16/644**

An Bord Pleanála Reference Number: PL 27.247118

**APPEAL** by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 27<sup>th</sup> day of July, 2016 by Wicklow County Council to grant subject to conditions a permission to Leinster Pellets Limited care of Conor Furey and Associates Limited of Olde World Cottage, Rathasker Road, Naas, County Kildare in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Change of use of an existing vacant development at Whitestown Lower, Stratford on Slaney, Baltinglass County Wicklow, from a concrete block manufacturing facility to the storage and natural drying of 2,000 tonnes of timber, sourced mainly from the local forestry and related sectors. The proposal also includes the erection of external walls and an internal partition at an existing 6,543 square metres structure, to create an enclosed storage unit of 2,178 square metres (with the remaining 4,365 square metres in this feature, which is in a roofed open-sided condition, not forming part of this application). This application also seeks permission for the upgrade of the existing on-site wastewater treatment system, the installation of a weighbridge and permission for the retention of a 268 square metre plant room and a separate vacant building containing 253.5 square metres which will be used as an office in connection with this timber proposal, including a non-habitable roof of 75 square metres, which will be used as an office store along with all ancillary works and related uses, including car parking and equipment storage at Whitestown Lower, Stratford on Slaney, Baltinglass, County Wicklow.

## 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 established commercial use of the lands, the nature of the proposed use associated with the storage and processing of locally sourced timber, the proposal to upgrade the existing vehicular access and the limited traffic flow the proposed development would generate, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be compatible with existing land uses in the vicinity, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health 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 received by An Bord Pleanála on the 16<sup>th</sup> day of September, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no change of use shall take place on site without a prior grant of planning permission.

**Reason:** In the interest of traffic safety and of the amenities of the area and to permit the planning authority to assess the impacts of such development on the amenities of the area.

3. Prior to the commencement of development, the improvements to sightlines at the vehicular entrance as set out in drawing number 115-A67-LP01-REVC received by An Bord Pleanála on the 16<sup>th</sup> day of September, 2016 shall be carried out in full and shall be in accordance with the requirements of the planning authorities. Details of the proposed revised roadside boundary shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 10<sup>th</sup> day of June, 2016, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the installation of the proprietary effluent treatment system, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

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

5. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling or at any point along the boundary of the site shall not exceed:-
- (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
  - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise, as amended.

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

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

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

**Dated this            day of            2016.**