



An
Coimisiún
Pleanála

**Commission Order
PL-500407-WX-25**

Planning and Development Act 2000, as amended

Planning Authority: Wexford County Council

Planning Register Reference Number: 20251178W

Appeal by Bernard Cosgrave against the decision made on the 10th day of November, 2025 by Wexford County Council to grant, subject to conditions, a permission to Scarnagh Farms in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for development which will consist of: farmland improvement works to existing agricultural lands including (1) land drainage works, (2) soil supplementation works (circa 80,000 m³), (3) re-contouring and soil cultivation works, (4) minor landscaping works, (5) upgrade of existing site access, (6) temporary works and items including: internal access roads and turning areas; wheel wash; site compound (bundled refuelling area, portable staff canteen and welfare unit, portable WC and handwashing unit, and parking area) for the duration of the development, and (7) associated ancillary works. The application site boundary encloses circa

6.35 hectares at Scarnagh, Gorey, County Wexford in the townland of Scarnagh Lower.

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 rural location of the site; the demonstrated need for the importation of high quality, clean inert topsoil and subsoil and soil cultivation works on this land holding as set out within the Teagasc correspondence and the planning application report submitted as part of the planning documentation, the established farm practices on the holding; the character and pattern of development in the vicinity; and to the provisions within Section 5.9, Volume 2 of the Wexford County Development Plan 2022-2028, in relation to 'Facilities for Disposal of Inert Materials', and specific objectives ED91 (Rural Economy Objectives) and ED99 (Agricultural Development Objectives) of the development plan in relation to facilitating and supporting sustainable agricultural practices, it is considered, subject to compliance with the conditions set out below, that the development would not seriously injure the amenities of the area, nor result in the creation of a traffic hazard, nor adversely impact upon the local receiving environment nor landscape in terms of noise or dust, nor adversely impact upon water quality nor give rise to disturbance of protected habitats or species in any European site. The

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 to An Coimisiún Pleanála on the 16th day of January 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 hereby permitted shall specifically relate to the importation of high quality clean inert topsoil and subsoil material with a maximum importation of 120,000 tonnes of Article 27 material and the annual intake shall not exceed 24,000 tonnes of material in any given year over the five-year permission period for infill and soil cultivation works. All soil infill works and reseedling shall be completed on a phased basis as set out in drawing number PP-1205-04 as per the documentation submitted to the planning authority and by the end of the subsequent planting season unless otherwise agreed in writing with the planning authority. The site shall be monitored annually for the presence of invasive species during the course of the works and for five years post

capping of the infill area. The results of the annual monitoring shall be submitted to the planning authority.

Reason: In the interests of the protection of the environment and the proper planning and sustainable development of the area.

3. The access to the site shall be from the existing agricultural gated entrance along the L5006 entrance to the site. A concrete hardstand area shall be developed at the entrance point between the location of the proposed wheel wash facility and the public road. Precise details of the hardstand area and the wheel wash at the entrance point shall be submitted for the written agreement of the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety.

4. (a) Only agricultural tractor trailer units and rigid trucks shall transport material to the site. All vehicles using the site shall have loads effectively covered. No dust, stones, mud etc. giving rise to traffic safety hazards shall be brought onto the public road by vehicles accessing or leaving the site.
(b) The operator shall monitor the condition of the L5006 on a daily basis when the facility is in operation and clean the road surface when required or instructed to do so by Wexford County Council personnel.

Reason: In the interest of traffic safety.

5. Signage shall be provided on the approaches to the site to warn other road users of the type of traffic movements relating to the development. Signage type and locations shall be agreed with the local Area Engineer prior to the commencement of development on site.

Reason: In the interest of traffic safety.

6. All on-site operations associated with the permitted development, including refuelling operations and waste management shall be undertaken in a manner which prevents the risk of pollution to ground water. Refuelling on site shall take place in a designated bunded area. The bunded area shall have a capacity of 110% of the fuel tank capacity. Any on-site incidents giving rise to the risk of pollution to ground water shall be reported immediately to the planning authority. No contaminated water shall be discharged to ground or surface waters.

Reason: In the interest of protection of ground waters.

7. All on-site operations associated with the permitted development shall take place between the following hours 0800 to 1800 Mondays to Fridays and between 0900 to 1800 hours on Saturdays. No on-site operations associated with the permitted development shall take place outside of these hours or on Sundays or public holidays.

Reason: In the interests of amenity and proper planning and sustainable development.

8. All machinery and vehicles employed on site shall be fitted with effective silencers of a type appropriate to the specification and at all times the best available technology, not entailing excessive costs, shall be employed to prevent or counteract defects of noise emitted by vehicles, plant machinery or otherwise arising from the site activities.

Reason: In the interest of residential amenity.

9. (a) All mitigation and control measures outlined in the plans and particulars, including the Dust Management Plan, Traffic Report and Noise Impact Assessment submitted as part of the planning documentation to the planning authority on the 17th day of September 2025 and to An Coimisiún Pleanála on the 16th day of January 2026 shall be implemented in full, except where otherwise required by conditions attached to this permission.
- (b) Prior to the commencement of development, the operator shall submit a comprehensive list of mitigation and monitoring measures from the named reports and a corresponding timeline/schedule for implementation of same to the planning authority for its written agreement.

Reason: In the interest of natural heritage, protecting the environment, public health, traffic safety and clarity.

10. The existing perimeter hedgerow boundary treatment shall be retained. New on-site native hedgerows shall be planted within twelve months or the next planting season (whichever is the earlier) following completion of works within each phase of development as per drawing number PP-

1205-03-Site Layout Plan. All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

11. Noise emanating from the development shall not cause to be measured at the facing elevation (outside) of any dwelling in the area, during approved operational hours, a noise level exceeding 65 dB(A) (L_{aeq} 1 hour). Noise shall not be impulsive in nature or have any tonal element which is 5 dB(A) above the adjacent frequencies.

Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.

12. Dust emission or total particulate release to the airborne environment shall not exceed 350 mg/square metres per day. Dust measurements shall be carried out, in real time, by direct reading airborne particle measuring equipment, capable of measuring for different dust particle sizes simultaneously, to include at a minimum Total Suspended Particles (TSP), and Particulate Matter <10 µm (PM10) fractions. This equipment is to have the English EA MCERTS certification or equivalent, which ensures reliable and accurate recording of PM10 data. Annual monitoring of dust and suspended particles shall be undertaken by suitably qualified persons on behalf of and at the expense of the owner/operator in accordance with the requirements of the planning

authority. The results of the annual monitoring shall be submitted to the planning authority.

Reason: To minimise the generation of dust by the proposed development and in the interests of the amenities of the area and proper planning and sustainable development.

13. Surface waters generated within the subject site shall be managed within the site boundaries and shall not enter the public road or adjoining property.

Reason: In the interests of amenity and the proper planning and sustainable development of the area.

14. An acoustic barrier shall be erected along the south-western boundary of the site. The precise location, type and scale of same shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity and protection of the environment.

15. A complaints register shall be maintained on site and shall be made available for inspection to officials within the planning authority. Any subsequent actions taken to address issues raised shall also be recorded within the register.

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

16. A logbook shall be maintained on site and shall be made available for inspection to officials within the planning authority. The logbook shall detail the source of material imported to the site, the tonnage of material and the date and time the material was imported to the site.

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



Declan Moore

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

Dated this 6th day of JULY 2026