

An
Coimisiún
Pleanála

Commission Order
PL-500848-WW-26

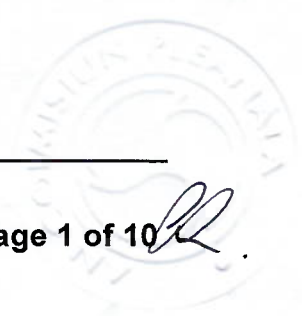
Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2560437

Appeal by Quinns of Baltinglass Limited against the decision made on the 28th day of January 2026, by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Change of use of the site from agriculture to light industrial use, including the existing sheds, to provide for a seed processing facility and ancillary plant and storage areas. The proposed development will also include: the demolition of two existing buildings on site (circa 1,038 square metres gross floor area and circa 834 square metres gross floor area, respectively) and the construction of two interconnecting replacement buildings (with a combined gross floor area of circa 1,473 square metres and a maximum ridge height of circa 13 metres), to accommodate a seed drying plant, with external conveyors and seed dyers (circa 15.5 metres in height) located to the south-west.



The development will also consist of: the provision of an additional weigh bridge located to the south of the site; alterations to the existing vehicular site entrance located at the south-east boundary, including the provision of new entrance gates and boundary treatment; provision of a new gate on the eastern site boundary; staff car parking; waste management areas; surface water drainage; hard and soft landscaping and all associated infrastructural and site development works above and below ground. The proposed change of use relates to all buildings on site except for the existing dwelling to the north-east, including its associated curtilage and vehicular entrance all at a circa 1.43 hectares site at Clough Upper, 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.

Reasons and Considerations

Having regard to:

- (a) the provisions of the Wicklow County Development Plan 2022-2028, including Policy 9.35 which facilitates rural related business in a rural area,
- (b) the nature, scale, and location of the proposed development on a substantial existing farmyard which is currently not in use,
- (c) the pattern of development in the surrounding area,
- (d) the measures proposed to ensure traffic safety at the existing entrance,

- (e) the separation distances from neighbouring dwellings,
- (f) the report and recommendation of the Planning Inspector,

it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of properties in the vicinity, would not have an adverse impact on the environment, would not significantly intensify traffic movements, would be acceptable in terms of road safety, and would be acceptable in terms of visual amenity. 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 on the 12th day of June 2025, and as amended by the further information received on the 26th day of November 2025, 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 finishes shall be as indicated on the submitted drawings unless otherwise agreed in writing with the planning authority prior to the commencement of development

Reason: In the interest of visual amenity.

3. The entrance gates to the proposed development shall be set back not less than 18 metres from the edge of the public road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.

Reason: In the interest of traffic safety.

4. Prior to the commencement of development, a Heavy Goods Vehicle (HGV) Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of procedures to be followed when on site HGV parking is at capacity. These measures shall include details to ensure that there is no HGV queuing on the N81 and that deliveries can only be acceptable at the facility when appropriate space is available on site to accommodate delivery vehicles.

Reason: In the interests of amenities and public safety.

5. The existing boundary hedge, along the N81, shall be retained except to the extent that its removal is necessary to provide for the entrance to the site and to achieve the appropriate sightlines.

Reason: In the interest of visual amenity.

6. The applicant shall fully comply with the following:
 - (a) The hours of operation shall be restricted to between 0800 to 1900 hours Monday to Saturday.
 - (b) No activities shall take place on Sundays, bank or public holidays.

- (c) Deviation from these times shall only be allowed where prior written approval has been received from the planning authority. Such approval may be given subject to conditions pertaining to the particular circumstances being set by the planning authority.

Reason: To protect the amenities of the area.

- 7. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access road to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

- 8. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 23rd day of February 2026 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021; and in accordance with the '1999 Wastewater Treatment Manual-Treatment Systems for small communities, business, leisure centres and hotels' regarding the commercial discharge element of the site.

- (b) Treated effluent from the wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

- 9. The existing septic tank shall be decommissioned and removed by a licenced haulage operator with appropriate waste licences prior to the commencement of construction on site.

Reason: In the interest of public health and to prevent water pollution.

- 10. (a) Where the noise in question does not contain acoustic features that enhance its impact such as tones or impulsive elements the LAeq level measured over 15 mins (daytime) or 5 minutes (night-time) at a noise sensitive premises when plant is operating shall not exceed LA90 (15 minutes day to 5 mins night) by 5 dB or more, measured from the same position, under the same conditions and during a comparable period with no plant in operation.

- (b) Where the noise in question does not contain acoustic features that enhance its impact such a tone or impulsive elements the rating noise level, LAr, T shall be compliant with BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sounds.

Reason: In order to protect adjoining residential amenity.

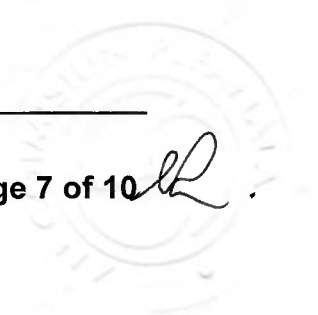
11. Lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interests of amenity and public safety.

12. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the area.

13. The applicant shall submit, for the written approval of the planning authority, a vermin and pest control management plan for the site prior to the commencement of development.



Reason: In the interest of protecting the amenities of properties in the area.

14. The applicant shall submit, for the written approval of the planning authority, a dust and odour management plan for the site prior to the commencement of development.

Reason: In the interest of protecting the amenities of properties in the area.

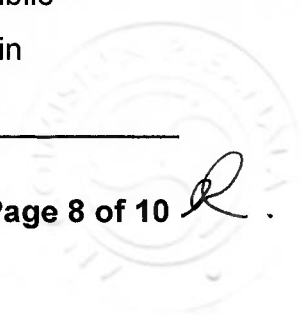
15. No signage, advertisement or advertisement structure (including that which is exempted development under the Planning and Development Regulations, 2001 (as amended), shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and to protect the character of the area.

16. Prior to commencement of works, the developer shall submit to, and agree in writing with, the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

17. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in



exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

18. (a) During the construction phase adequate off carriageway parking facilities shall be provided for all traffic associated with the development, including delivery and service vehicles/trucks. There shall be no parking along the public road.
- (b) All measures shall be taken during construction works to prevent muck, dirt, debris or other materials being deposited on the adjoining public road by machinery or vehicles travelling to and from the site during the construction phase. Best practice measures shall be put in place to ensure vehicles leaving the site are kept clean.
- (c) The applicant shall maintain the site in a neat and litter free condition during the construction period. Waste disposal skips shall be maintained on site for this purpose.
- (d) The applicant shall ensure that all works on site are carried out in a manner such that noise and dust emissions do not result in significant impairment of, or significant interference with amenities or the environment beyond the site boundary.
- (e) No fuels shall be stored on site during the construction or operation phase unless storage arrangements are agreed in writing with the planning authority.

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

19. 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.



Mick Long

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

Dated this *23rd* day of *June* 2026