

An
Coimisiún
Pleanála

Commission Order
PL-500902-CW

Planning and Development Act 2000, as amended

Planning Authority: Carlow County Council

Planning Register Reference Number: 25/60436

Appeal by George Doyle against the decision made on the 25th day of February, 2026 by Carlow County Council to grant subject to conditions a permission to Milford Quarries in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a rock splitter and associated ancillary canopy covering an area of circa 120.1 square metres with a maximum height of circa 7.2 metres and associated single storey cabin/site office measuring circa 4.7 square metres in area, aggregate washing plant with a maximum height of circa 10.7 metres, welding shed measuring circa 190.2 square metres in area with a maximum height of circa 8.4 metres, and ESB substation measuring circa 13.5 square metres in area with a maximum height of circa 3.2 metres. Retention is also sought for all associated ancillary site development works, including site levelling, lighting, cabling and ducting, all at Powerstown, Milford, County Carlow.

Decision

GRANT permission for the above 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 planning history relating to the site and the overall landholding, and the nature, location and extent of the development proposed to be retained, comprising a rock splitter and associated canopy, cabin/site office, aggregate washing plant, ESB substation and welding shed and ancillary site development works, including site levelling, lighting, cabling and ducting, and having regard to the established character and pattern of development on and in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be supported by policy in relation to aggregates and mineral resources as set out in Chapter 14 (Rural Development) of the Carlow County Development Plan 2022– 2028. The development proposed to be retained would not be prejudicial to public health, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety, would not result in likely significant effects on any European Site, having regard to the sites' Conservation Objectives, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to agree with the Inspector regarding a split decision, which recommended refusing permission for the washing plant, the Commission noted the firm commitment from the applicant that only one of the two washing plants would operate at any one time and also noted that the wash water is circulated via a 'closed loop' system with no discharges to surface water. The Commission was satisfied that this requirement could be further strengthened by condition for reasons of clarity and attached condition number 4 to its Order accordingly. The Commission was satisfied that this attached condition adequately dealt with the concerns raised regarding insufficient information on file in relation to the matter of assessment of water.

In relation to the absence of detailed drawings regarding site levelling, cabling and ducting, and noting the Inspector's recommendation to refuse permission for these elements, the Commission was satisfied that these elements are relatively minor and ancillary to the overall development and, accordingly, considered that it is appropriate to seek the details by way of a planning condition where such details would be required to be submitted to, and agreed with, the planning authority post consent. In this regard, the Commission attached condition number 5 to its Order.

Conditions

1. The development shall be retained 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 within three months of the date of this Order and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission authorises only the development as described in the public notices and detailed in the plans and particulars received by the planning authority with the application.

Reason: In the interest of clarity.

3. Apart from any departures specifically authorised by this permission, the development shall be retained in accordance with the terms and conditions of the permissions granted by An Coimisiún Pleanála under appeal reference numbers PL 01.238351 and PL 01.241819, save as amended or otherwise by the terms and conditions of this grant of permission.

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

4. The washing plant hereby permitted and the existing washing plant on the landholding shall not be used or operated in tandem (only one of the two washing plants shall be used at any one time).

Reason: In the interest of public health and environment sustainability.

5. Details of site levelling, lighting and cabling, which shall be solely for the purposes of the development proposed to be retained, shall be submitted to, and agreed in writing with, the planning authority within two months of the date of this Order.

Reason: In the interest of environmental protection and safeguarding local amenities.

6. The developer shall include the structures hereby retained in the Annual Environmental Report to the planning authority each year in accordance with condition number 7 of planning register reference number 15/121.

Reason: In the interest of environmental protection and safeguarding local amenities.

7. The following requirements relating to noise shall be complied with in the development:

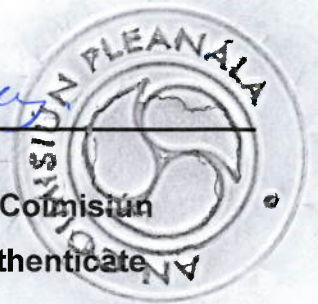
During the operational phase of the development proposed to be retained, the noise level from within the boundaries of the site measured at currently existing noise sensitive locations in the vicinity, shall not exceed:

- (i) an Leq, one hour value of 55 dB(A) between 0700 hours and 1800 hours from Mondays to Fridays and between 0700 hours and 1600 hours on Saturdays, and
- (ii) an Leq, 15 minutes value of 45 dB(A) at any other time. Nighttime emissions shall have no tonal component.

Reason: In order to protect the residential amenities of property 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 within three months of 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. 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.


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



Dated this 22nd day of July 2026.