

An
Coimisiún
Pleanála

Commission Order
PL-501350-WW-26

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2649

Appeal by Michael Cleary against the decision made on the 22nd day of April 2026 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: Retention of the hardcore surface storage area referred to in UD5294. Full planning permission is also sought for the removal of the existing entrance and access track and reinstatement of same to farmland, construction of new entrance and access track, extension of the hardcore yard, construction of new landscaped screening banks to parts of the eastern and western boundaries, all associated planting, ancillary works and the material change of use from agricultural use to allow for storage of unprocessed timber for the purpose of drying same at Brewershill, Dunlavin, 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 the provisions of the Wicklow County Development Plan 2022-2028, including Objective CPO 9.35 which facilitates rural related business in a rural area, Objective 9.38 which supports diversification of agriculture into forestry activities, and Objectives 9.48 and 9.49 which supports businesses associated with forestry, the nature, scale, and location of the proposed forestry related development on a hardcore area which is connected to an existing farm shed, the measures to ensure traffic safety regarding the proposed site entrance, and the separation distances from neighbouring dwellings, it is considered that the proposed development and development proposed to be retained, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of properties in the vicinity, would be acceptable in terms of road safety, would be acceptable in terms of visual amenity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and carried out and completed 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 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. Within three months of the date of this order, the applicant shall submit a revised and colour coded Site Layout Plan, for the written agreement of the planning authority, which shall clearly indicate the extent of the existing hardcore area to be retained as well as the location and extent of the proposed additional hardcore area, all of which shall generally comply with the site layout plan as submitted with the application to the planning authority on the 21st of May 2026.

Reason: In the interest of clarity.

3. (a) The existing and proposed hardcore area shall be used only for the storage of timber for drying, which shall be stacked to a maximum height of no more than three metres.
- (b) The site shall not be used for the sawing, stripping or other processing of the timber stacked there for drying purposes.

Reason: In the interest of visual and residential amenity.

4. (a) The developer shall ensure that there are no more than 10 weekly trips to and from the subject site for the delivery and removal of timber.
- (b) The developer shall maintain a detailed log of all heavy commercial vehicle traffic to and from the subject site, which shall be submitted to the planning authority on an annual basis, to confirm compliance with the above requirement.

Reason: In the interest of traffic safety and residential amenity.

5. No liquid fuel tankers, or facilities for fuel storage are permitted on site.

Reason: To protect the amenities of the area.

6. No overnight parking of vehicles is permitted on site.

Reason: To protect the amenities of the area.

7. The applicant shall comply in full with the following:

- (a) The hours of operation shall be restricted to between 0800 to 1900 Monday to Saturday.
- (b) No activities shall take place on Sundays, bank or public holidays.
- (c) Deviation from these times will only be allowed in exceptional circumstances 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.

8. The entrance gates to the proposed development shall be set back not less than 18 metres from the edge of the public road. Any 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.

9. (a) The existing boundary hedge along the local road 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.
- (b) The site shall be landscaped in accordance with an overall site landscaping plan which shall be submitted to the planning authority within three months of the date of this order.
- (c) The site landscaping plan shall be agreed in writing with the planning authority, and all planting shall be carried out within the first planting season following the date of this order.
- (d) Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of five years from planting, 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 visual amenity

10. (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.

11. 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.

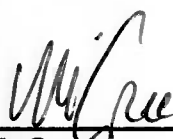
Reason: In the interest of visual amenity and to protect the character of the area.

12. Site development works shall be carried out between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 and 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.

13. 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.



Liam McGree

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

Dated this 7th day of September 2026