



Inspector's Report

PL-500848-WW-26

Development	Change of use from agricultural use to seed processing facility and ancillary plant and storage areas and all associated site works.
Location	Clough Upper, Baltinglass, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	2560437
Applicant(s)	Quinns of Baltinglass Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Quinns of Baltinglass Ltd.
Observer(s)	Bernard Rooney Bernard Rooney Finbarr Murphy Tom Barrett William and Leeona Thornton
Date of Site Inspection	6 th May 2026
Inspector	Donal Farrelly

Table of Contents

1.0	Site Location and Description	4
2.0	Proposed Development.....	4
3.0	Planning Authority Decision	5
4.0	Planning History.....	8
5.0	Policy Context.....	8
6.0	EIA Screening.....	13
7.0	The Appeal	13
8.0	Assessment	18
9.0	AA Screening.....	28
10.0	Water Framework Directive.....	28
11.0	Recommendation.....	29
12.0	Reasons and Considerations	29
13.0	Conditions.....	30
	Appendix 1: Form 1 EIA Pre-Screening	37
	Appendix 2: Form 2 - EIA Preliminary Examination	40

1.0 Site Location and Description

- 1.1. The appeal site comprises an existing residential dwelling and farmyard with a number of agricultural type sheds located off the N81 approximately 1.5 km southwest of Baltinglass Co. Wicklow. The speed limit for this section of the N81 is 80kph. The existing residential property is located adjacent to and north of the agricultural sheds with its own separate vehicular entrance. A separate vehicular entrance serves the agricultural farmyard approximately 70m south of the residential access. Surrounding the site are agricultural fields, with a cluster of residential dwellings located opposite the site within a cul de sac. Further north of the site there are a number of residential units fronting both the N81 and the Castledermot Road. The nearest residential property to the appeal site is in excess of 100m to the east.
- 1.2. The appeal site has a stated area of 1.43ha with the site generally flat in nature and a large hardstanding area forming part of the agricultural farmyard. I observed that the farmyard is disused during my site visit. I note an existing weighbridge is located on site.

2.0 Proposed Development

- 2.1. Quinns of Baltinglass are an existing seed processing business located on Mill Street in Baltinglass which is c1.7km to the north of the appeal site. They are looking for a timely relocation of their operations to a larger more feasible site to enable modern operational and environmental standards.
- 2.2. The proposed development comprises a change of use from agricultural to industrial use to include for a seed processing facility. This includes the demolition of two existing buildings and the construction of two no. replacement buildings with two no. attached seed dryers. The proposed buildings will have a height of c12m with the highest point of the seed dryers extending to 15.55m.
- 2.3. The proposal also includes alterations to the farmyard site entrance, provision of a new weighbridge and area for a compost skip, and change to the internal layout also to include a car parking area.
- 2.4. A waste water treatment system and percolation area are proposed to the north of the site, with the existing septic tank to be decommissioned.

3.0 Planning Authority Decision

3.1.1. Permission was refused by Decision Order dated 28/01/2026 subject to 5 no. reasons.

1. Having regard to Objective CPO9.35 of the Wicklow County Development Plan 2022-2028, which aims to permit development of small-scale commercial / industrial developments in rural areas that are not dependent on an existing local resource, it is considered that the proposed large scale development, which seeks the change of use of the entire site from agriculture to light industrial would render the development outside the scope of small –scale commercial/industrial development and thus inappropriate to and incompatible with the character of the rural environment. As such the proposed development is considered to be contrary to Objective CPO9.35 of the Wicklow County Development Plan 2022-2028 and therefore contrary to the proper planning and sustainable development of the area.

2. The proposed development is located in a rural area, which is a relatively short distance from zoned employment lands within Baltinglass. It is considered that the applicant has failed to provide a robust justification and demonstration that the proposed development should be, or is required to be, located in a rural area, and would not be suitable for locating on nearby zoned lands. It is considered that the proposed development would be contrary to Objective CPO 9.3 of the Wicklow County Development Plan 2022-2028, which normally requires new employment generating developments to locate on suitably zoned or identified land in settlements. Therefore, the proposed development would be contrary to the provisions of the Wicklow County Development Plan 2022-2028 and to proper planning and sustainable development.

3. The proposed development would be contrary to Objective CPO12.40 of the Wicklow County Development Plan 2022-2028, which seeks to avoid the creation of any additional access points from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kmh apply. In addition, the proposed development would endanger public safety by reason of serious traffic hazard because the traffic turning movements generated by the proposed development would interfere with the free flow and safety of traffic

on the N81. Therefore, the proposed development would be contrary to proper planning and sustainable development.

4. Insufficient details have been submitted respecting the processes involved in the cleaning and removal of residues from the chemical lines and machine components for the treatment of the seeds, particularly if switching between different seed varieties or preservatives and possible wash down generated from same. To permit the proposed development in the absence of such details could be prejudicial to public health and would therefore be contrary to proper planning and sustainable development.

5. Insufficient evidence has been submitted to show that the proposed wastewater system is fit for purpose and can cater for the maximum number occupants respecting the existing dwelling and the total number of employees of the proposed seed processing facility. To permit the proposed development would therefore be prejudicial to public health.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report of the Executive Planner signed 26/01/2026 recommends refusal for 5 no. reasons which are discussed in detail in section 3.1.1 of this report. In summary these 5 reasons include the following;

- The proposed development is not deemed to be small scale commercial/industrial development and does not satisfy Objective CPO 9.35 of the CDP.
- Applicant has not provided justification for development to be located on rural land instead of zoned land and would not satisfy Objective CPO 9.3 of the CDP.
- Development would create a traffic hazard from the increased traffic generated and traffic turning movements off the N81 and would be contrary to Objective CPD12.40 of the CDP.
- Insufficient details provided on the washdown produced from the scheme and the processes involved in the cleaning and removal of residues.

- Insufficient details have been submitted regarding the wastewater treatment system.

The application was recommended to be refused by the Executive Planner (initial report signed by EP on 31/07/25). Unsolicited information was submitted by the applicant prior to the formal decision being issued by WCC. This submission was subsequently deemed significant information, and revised statutory notices were published. The subsequent final report signed by the Senior Executive Planner dated 26/01/26 recommended refusal. A time extension until 31/01/26 was approved by the Planning Authority.

3.2.2. Other Technical Reports

The Environment section initially requested additional information (report dated 16/07/25) regarding the WWTS and seed processing washdown details. They subsequently requested further information (12/12/25) regarding the wastewater treatment system, and the seed treatment process including management of wash water from the facility.

Wicklow County Fire Service recommended fire related conditions in the event of a grant of permission.

The Transportation and Infrastructure Delivery report outlines the TII refusal recommendation regarding the intensification of the access onto the N81 which is a national secondary road and requests consultation with TII on this matter, and further details are required regarding a Stage 1 Road Safety Audit and cross section drawings for the entrance.

The Executive Area Engineer notes concerns that the posted speed limit of 80kph will be exceeded at this location and will as a result have concerns with the safe use of the entrance into and out of the appeal site and that sightlines reflect this higher speed. They also raised concerns about parked vehicles blocking sightlines to the north of the site, and intensification of the access onto the N81. They also disagree with the Transport Technical note in that deliveries to the facility will be based on the harvesting season and will result in a concentration of vehicles using the site at a particular period which will impact road safety as a result as vehicles may need to queue to access the site. They also note that this may set a precedent for other similar development in the area.

3.3. Prescribed Bodies

3.4. TII recommend a refusal based on the intensification of an access onto a national road as set out in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012) including Section 2.5 of said Guidelines.

Dept of Housing Local Government & Heritage--No response

Irish Water-No response

Kildare County Council-No response

3.5. Third Party Observations to Planning Authority

A total of 14 submissions to the Planning Authority were received. The concerns raised in the submissions are similar to those raised in the grounds of appeal, and which are summarised in section 7.1 of this report. Concerns not included in the appeal submissions include; Impact on property values, odours, storage areas for fuel and site safety, vermin, impact on amenity, damage to local infrastructure and traffic movements, visual impact, operating hours, does not constitute light industry development, errors in mapping of professional reports.

4.0 Planning History

No other planning history on site.

5.0 Policy Context

5.1. Development Plan

5.2. The Wicklow County Development Plan 2022-2028 is the relevant Development Plan for the appeal site. In my opinion the most relevant policies and objectives are listed below.

5.3. The appeal site is located outside the settlement boundary of The Baltinglass Town Plan 2022-2028, identified as level 4 Self Sustaining Town Plans. The said Plan identifies 'E-Employment' lands located to the south of the settlement (SLO 2 Lands) with the objective '*To provide for the development of enterprise and employment*'. Part 1.2 Zoning and land Use states that '*All lands located outside the plan boundary are considered to be within the rural area. Within these areas, planning applications*

shall be assessed having regard to the objectives and standards for the rural area, as set out in Volume 1 of the Wicklow County Development Plan’.

5.4. Chapter 4 relates to ‘Settlement Strategy’. The appeal site is located within Level 10 The rural area (open countryside).

Chapter 9 Economic Development

Enterprise CPO 9.1 which seeks to support all forms of employment creation

CPO 9.3 which seeks to normally require new employment generating developments to locate on suitably zoned or identified land in settlements. This formed one of the reasons for refusal.

CPO 9.5 which seeks to permit proposals for employment generating development where it can be demonstrated that the development complies with the relevant development standards and is not detrimental to residential amenity or to environmental quality and is acceptable with regard to its impact on the character and visual amenity of the area.

CPO 9.10 To encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the County and to consider allowing ‘relaxation’ in normal development standards on such sites to promote their redevelopment, where it can be clearly demonstrated that a development of the highest quality, that does not create an adverse or unacceptable working environment or create unacceptable impacts on the built, natural or social environment, will be provided.

CPO 9.23 To encourage and facilitate the development of small to medium scale indigenous industries and services at appropriate locations within all Level 1-8 settlements. The Council will require the provision of incubator/starter units in all major planning applications on employment zoned land. The Council acknowledges that the development of small scale projects with long term employment potential are important in sustaining both urban and rural settlements in County Wicklow and as such, the Council will adopt a proactive and flexible approach in dealing with applications on a case-by-case basis.

(The term small enterprise refers to an individual business/enterprise, which employs less than 10 persons, and the term medium enterprise refers to those, which employ up to 50 persons.)

CPO 9.32 To permit the development of employment generating developments in rural areas, where it is proven that the proposed development requires to be located in a rural area (e.g. dependent on an existing local resource) and will have a positive impact on the location.

CPO 9.35 To permit the development of small-scale commercial / industrial developments in rural areas that are not dependent on an existing local resource, subject to compliance with all of the following criteria:

The proposed development shall be a small-scale industrial / commercial scheme or service and the number employed shall be appropriate in scale to the location and its characteristics, including proximity to the workforce and customers;

the proposed development shall be located on the site of a redundant farm building / yard or similar agricultural brownfield site; and

the nature and scale of the proposed development and the proposed process or activity to be carried out, shall be appropriate to and compatible with, the character of the rural environment of the site at which the development is proposed, and shall not be detrimental to the rural amenity of the surrounding area. In the assessment of planning applications, cognisance shall be taken of the location of the site vis-à-vis the proximity of the site to the national and regional road network.

This formed one of the reasons for refusal.

CPO 9.38 To encourage and facilitate agricultural diversification into suitable agri-businesses. Subject to all other objectives being complied with, the Council will support the alternative use of agricultural land for the following alternative farm enterprises:

Specialist farming practices, e.g. organic farming, horticulture, specialised animal breeding, deer and goat farming, poultry, flower growing, forestry, equine facilities, allotments, bio energy production of crops and forestry, organic and speciality foods; and

suitable rural enterprises.

Chapter 12 Sustainable Transport

CPO 12.40. To safeguard the capacity and safety of the National Road network by restricting further access onto National Primary and National Secondary roads in line with the provisions of the 'Spatial Planning and National Roads' Guidelines' (DoECLG 2012). This formed one of the reasons for refusal.

Appendix 1-Development and Design Standards

Section 4 Business, Commercial and Employment Developments.

Section 4.3.3 Commercial / industrial development in rural area

Where permission is sought for a commercial / industrial development in a rural area, the application shall be required to include the following information:

- Details of the ownership of the site / buildings and the intended operator of the business;
- Full details of the activity proposed to be carried out, the materials and processes involved, information of plant and machinery and any emissions / wastes arising therefrom;
- Details of staff (full / part time) required to operate the business and the proposed hours of business;
- Details of transportation requirements, the types of vehicles to be used, the estimated number of vehicle movements per day, likely routes of vehicles to major transport routes / the market for the product and evaluation of ability of existing road network to accommodate the development;
- Where a new building is proposed, evidence that the location and design of the structure is optimal having considered both the needs of the business and the environmental sensitivities of the location and where applicable, measures that have been taken to minimise visual impact on the landscape;
- Evaluation of the proposals in terms of likely impacts on scenic value (including listed views and prospects and sensitive landscapes), heritage, local ecology / biodiversity and nearby residences;
- Detailed landscaping proposals.

In order to verify the viability of a proposed business, the planning authority may require the submission of a business plan with any application for permission.

5.5. Relevant National or Regional Policy / Ministerial Guidelines

NPF (First Revision)

NPO 30 Facilitate the development of the rural economy, in a manner consistent with the national climate objective, through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off farm activities, while at the same time noting the importance of maintaining and protecting biodiversity and the natural landscape and built heritage which are vital to rural tourism.

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031

RPO 4.79 Local authorities shall identify and provide policies that recognise the contribution that small towns, villages and rural areas contribute to social and economic wellbeing. As part of this policy provision that seeks to support and protect existing rural economies such as valuable agricultural lands to ensure sustainable food supply, to protect the value and character of open countryside and to support the diversification of rural economies to create additional jobs and maximise opportunities in emerging sectors, such as agribusiness, renewable energy, tourism and forestry enterprise is supported.

RPO 6.7 Support Local authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bio-economy, tourism, and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage.

Spatial Planning and National Road Guidelines for Planning Authorities (2012)

*Lands adjoining National Roads to which speed limits greater than 60 kmh apply:
The policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from*

existing accesses to national roads to which speed limits greater than 60 kmh apply. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.

5.6. Natural Heritage Designations

Special Area of Conservation: Slaney River Valley SAC (000781) is located 0.9km to the northeast.

Proposed Natural Heritage Areas:

Corballis Hill is located approximately 4km to the northwest.

Holdenstown Bog is located approximately 2.5km to the southeast.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. A first party appeal has been lodged by a consultant acting on behalf of the first party appellant. The appeal was accompanied by photographs, a transportation note, and site suitability assessment regarding the wastewater treatment system.

7.1.2. The grounds of appeal are summarised as follows;

- Necessity for the existing seed processing business in Baltinglass (Quinns of Baltinglass) to relocate to a more appropriate location within the locality to allow for seasonal operations. The appeal site is also a brownfield site which is a disused farmyard.

- Negligible impact of development on the surrounding area and landscape character.
- The traffic assessment concludes that the N81 can accommodate the proposed traffic movements and would not give rise to traffic or road safety issues.
- Facility will not have an adverse impact on the environment and will incorporate best available techniques and technologies.
- The WWTS will be designed in accordance with EPA requirements.
- Development complies with planning policy including Objective CPO 9.35 of the Development Plan.
- The first party appellant has referenced the Noise Impact Assessment undertaken by Wave Dynamics and outlines that the proposed development is 'unlikely to adversely impact the identified noise sensitive receptors proximate to the site'.
- The first party appellant has outlined that the potential for odour is low due to the nature of the works to be carried out at the facility. They will use air-based processing equipment, with all dust collected internally and removed by an authorised waste contractor.
- The facility will be located an appropriate distance from properties and outlines that it will not be visually dominant, with the new building centrally located within the site and set back from the N81. The existing landscape will act as a buffer. There will be a total of 5 full time employees on site.
- The busy nature of a farmyard is depending on the nature of the farming activities therefore it can vary depending on the time of year and can be ad hoc. The first party appellant argues that the seed production facility would be no busier than a typical farmyard and outlines that the proposed facility would involve a more controlled use of the site and would not result in a more significant impact on the environment.
- The site is not located in a remote location and the first party appellant disagrees that it sets a precedent for similar development patterns, as it is brownfield and linked to rural based businesses.
- The first party appellant also outlines that CPO 9.35 highlights the need to reuse and redevelop brownfield sites and redundant farm buildings, and CPO 9.32 9.33 and 9.34 support a local business with a positive impact on the local economy.

- The first party appellant states that all processed seed would be stored within the new buildings and the other buildings on site would be ancillary to the main seed processing facility. This is the basis for seeking a change of use for the entire site.
- No CDP policy for the first party appellant to demonstrate that an alternative site could be used. The first party appellant accepts that this is the case in specific circumstances such as an EIA where an applicant should consider alternatives, or certain retail proposals.
- First party appellant cannot consider alternative lands within the zoned lands (E-Employment) located to the northeast of the site. The first party appellant does not own the zoned lands but owns the appeal site. They do not require a site larger than the appeal site which is 1.43ha, with the zoned lands 10.5ha. This is also an unserviced greenfield site with significant development costs associated. The appeal site is brownfield and only requires minor infrastructural works. It is not guaranteed that permission would be approved on the zoned site, and the first party appellant outlines that a masterplan approach would be needed on the zoned lands in question to avoid piecemeal development. The zoned site is located closer to an SAC and Flood Zone A compared to the appeal site. These lands are also not for sale, with a more practical solution required for the expansion of the existing business.
- Raw materials involved in the proposed facility is not the same as raw materials associated with heavy industry. The raw materials in this instance are sourced and grown locally and not on a scale which would constitute storage for the distribution on a regional scale, and would not constitute large scale either with no off site warehousing proposed except for the proposed building on site.
- Appeal note provided by Transport Insights. A Stage 1 Road Safety Audit was submitted. The first party appellant states that the proposed development will generate a minimal level of traffic and would not result in an intensification of trips at the existing access onto the N81. The existing access will be upgraded to increase safety and that the Road Safety Audit concluded that the access can accommodate HGV movements. Appropriate evidence has been provided and the development does not conflict with Objective 12.40 of the CDP which seeks to restrict further access onto National Roads.

- WCC Environment Section did not recommend refusing the application and requested further information regarding the processing and washing operations on site. This information is included in the appeal and includes the following, which is also included in the Cimbria supporting letter and details.

Fully Enclosed Dry Seed Treatment process. This includes a fully enclosed process within sealed units. *'Treatment material is applied internally within the equipment and remains bound to the surface of the seed.'*

No Washwater generated. The only wastewater arises from the staff welfare facilities, and none is associated with the operations on site.

Changeover and Dry Cleaning Procedures. There is no liquid cleaning during changeover between seed varieties with cleaning by dry means only.

Machinery Cleaning Procedures. Wet washing of machinery does not form part of normal operations with only dry cleaning methods proposed. Any deep maintenance will not result in any discharge to drainage systems or to the soil.

Residue Management. Outlines that no mechanisms exist for residues to exit the building in an uncontrolled manner or to drainage systems or to the soil.

Dust Extraction System. WCC Environment Section outlined that dust issues could be addressed by way of condition. A accompanying report from Cimbria (the manufacturer) outlines details on cleaning and maintenance of the equipment.

The Site Suitability assessment could have been submitted by additional information as requested by the Environmental Section. The first party appellant confirms that the proposed development and existing dwelling are in the same ownership. The WWTS is designed for a total loading of 8 population equivalent (PE).

Transport Insights Appeal Note

The report emphasizes that the development does not create a new access or the intensification of an existing access.

Details provided on trip generation and historic trip generation, with no intensification of the site access anticipated. HGVs can be stacked on site if required, and that the number of trips generated from the site will not result in stacking of HGVs on the N81 with an average of one trip per hour.

WCC Transport Department outlined that the technical issues through the unsolicited further information submitted were addressed namely the access arrangements, HGV movements, visibility splays, Stage 1 Road Safety Audit.

Good forward visibility is provided from the site entrance and ample visibility for approaching drivers to see vehicles entering and exiting the site. Adequate visibility splays are provided at the site entrance (160m x 3m).

Applicant's land fronts the N81 on both sides of the road and would be open to further provision of acceleration or deceleration facilities at the site access point.

Stacking space is available on site for 2-3 vehicles. This is also shown on a plan.

TII National Road and Greenway Network Indicators Report outlines that the section of the N81 has a Free Flow Level of Service.

Entrance gates set back 18m and enhanced entrance design will limit short term clustering of vehicles on the N81. Site management could also be implemented to limit vehicular activity if deemed site is at capacity for stacking. A planning condition could address this to ensure a HGV Management Strategy during peak harvest period.

Roadplan Consulting Ltd undertook a Stage 1 RSA, which was uploaded to the TII's RSA Approvals System portal and close out was accepted by TII. The Stage 1 RSA identified road safety issues which were addressed within the unsolicited further information. Any residual safety issues can be addressed in Stage 2 and 3 RSAs.

Percolation test Clarification Letter and Site Suitability Assessment

Design based on 8 Population Equivalent (PE). The accounts for the 3 bedrooms of the existing dwelling and for 5 staff associated with the commercial operations.

Percolation bed area is 60m² (coco filter) and complies with the EPA Code of Practice 2021.

Pre Soaking test Holes carried out 06/10/25

T Test 110.33

T Value 34.25

P Test 94.33

P Value 29.36

Identified as suitable for development.

7.2. Planning Authority Response

None

7.3. Observations

A number of observations were received from third parties. The issues are as follows;

- Site zoned agriculture but currently being used for storage with a weighbridge on site.
- Proposed height and dust would impact solar panels.
- Start of a larger development on site.
- Noise impact and impact on well being.
- Lighting at night will impact on residents.
- Better suited to an industrial zone, and appeal site better used for housing due to feasibility issues on other sites.
- N81 Road will be more dangerous with HGV movements
- Impact on health and will need to sell home
- No community engagement

8.0 Assessment

8.1. I have examined the application details (including the 5 no. reasons for refusal) and all other documentation on file including the submissions received in relation to the appeal and the report of the local authority. I have also inspected the site, and I have had regard to the relevant local/regional/national policies and guidance. I consider that the substantive issues in this appeal to be considered are as follows:

- Appropriateness of the proposed development in a rural area
- Traffic issues
- Operational issues
- Waste Water Treatment

- Visual Impact
- Other matters

Appropriateness of the proposed development in a rural area

8.2. Quinns of Baltinglass are an existing seed processing business located on Mill Street in Baltinglass which is c1.7km to the north of the appeal site. They are looking for a timely relocation of their operations to a larger more feasible site to enable modern operational and environmental standards.

8.3. The applicant has set out a detailed explanation regarding their approach to addressing Objective CPO 9.35 of the Wicklow County Development Plan 2022-2028 including the pre planning engagement and unsolicited information submitted to WCC prior to the issuing of the final decision. The first party appellant states that the proposal put forward is considered light industrial and not agricultural, and states that other economic objectives of the CDP namely CPO 9.32 9.33 and 9.34, should be considered as opposed to whether or not the development is considered ‘small scale’ with respect to satisfying Objective CPO 9.35 of the CDP.

8.4. I note in the Planners Report in response to the unsolicited information submitted that the first party appellant has referred to a previous pre planning consultation with WCC in terms of justification for the change of use. I agree with the Planners assessment and as per s247 of the Planning and Development Act 2000 (as amended) in that all applications are assessed on their own merits and discussions held at the pre planning stage cannot be relied upon in the formal planning process.

8.5. I accept that the 5 no. employees at the facility would fall under the definition of small enterprise as per CPO 9.23 of the Wicklow CDP. However, regarding the industrial process to be carried out on site this is described as light industrial as per the development description. I refer to Part 2 Exempted Development of the Planning and Development Regulations 2001(as amended) which states that a *“light industrial building” means an industrial building in which the processes carried on or the plant or machinery installed are such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.* It is my view however that the proposed development is more associated with an ‘industrial building’ and ‘industrial process’

as per the definitions of Part 2 Exempted Development of the Planning and Development Regulations 2001(as amended) and should be described as such.

- 8.6. Further to the above, I am also of the opinion that this is a rural, locally based and a specific type agri-business that is utilising a brownfield site currently used as a farmyard. I also do not consider that the seasonal operations associated with the proposed business would differ significantly than those of a farmyard. I do not consider that it will set an undesirable precedent considering the nature of the agri-business proposed and I consider the development to be in accordance with Policy 9.35 of the CDP.
- 8.7. The Planning Officer assessment outlines that the reuse of the site is not the issue, but the proposed scale of the operations proposed. Notwithstanding the above I have considered the argument put forward by the Planning Authority and third party submissions in that the proposed development should be located on the 'E' Employment Zoned Land located approximately 600-700m northeast of the appeal site and not on the 'level 10 open countryside lands'. The first party appellant argues that they own the appeal site but not the zoned 'E' land and that significant costs would be associated with servicing the zoned lands. I also note the PA assessment in that land ownership is not a planning consideration. I recognise the viability case put forward, however, I concur with the planning authority in that land ownership is not a planning consideration and does not take precedent over the policies and objectives of the CDP.
- 8.8. It is my view however that the 'E' Zoned lands are also located in close proximity to a number of residential properties, as is the appeal site. I do not consider that the location of the proposed development on the 'E' zoned lands would fully mitigate any impact to residential amenity in the area and therefore on balance I consider the appeal site to be appropriate for the proposed development in this regard.
- 8.9. I have considered Objective CPO 9.35 of the CDP and I am satisfied that the proposed development would be located on a redundant farmyard site with an existing access onto the N81, would be appropriate for the rural location, and would be of an acceptable scale in terms of the numbers of people employed.
- 8.10. Having regard to the above including Policy 9.35 of the CDP, I therefore recommend to the Commission that the PA's reasons for refusal regarding the

location of the business within a rural area, and the nature of the business, should be overturned.

Traffic issues

- 8.11. I consider that the two main elements for assessment and which are discussed below are the sightlines from the entrance, and if the change of use results in an intensification of the existing access.
- 8.12. I note Policy 12.40 of the CDP and the Spatial Planning and National Road Guidelines for Planning Authorities (2012) as being relevant regarding this agri-business type development. However, the limitations imposed regarding the said policies are regarding the intensification of an existing access, which is discussed in more detail within the sections which follow below.
- 8.13. I have reviewed the Transport appeal note and other particulars, including the Stage 1 Road Safety Audit and Transport note submitted as unsolicited further information to the PA. The speed limit of this section of road is 80kph, and that is therefore what my assessment is based upon.
- 8.14. The first party appellant outlines in the unsolicited information transport report dated 26/11/25 that the Stage 1 Road Safety Audit was completed and that the existing access design has also been enhanced. The report notes the minor encroachment of the wool shed structure to the north but does not consider it to have an adverse impact on the visibility splay. The unsolicited information submission goes on to outline that the entrance has been slightly modified southwards to overcome this. With respect to the sightline to the south, they acknowledge that the hedgerow will need to be removed and replanted.
- 8.15. The WCC Transportation Department response dated 15/07/25 outlines compliance with required sightlines, although the wrong drawing appears to be referenced. I also note the proposed setback of the entrance gate of 18.8m and the enhanced entrance design, and the Senior Executive Planners report signed 26/01/26 which outlines that the road safety matters are largely resolved. The Planners report however acknowledges that the technical aspects of the entrance and sightlines appear to be resolved but it is unclear if the issues regarding HGV access to the site off the N81 are satisfied. This assumption however is based on the fact that there is an intensification of the existing access and the response from TII.

- 8.16. I note Section 2.1.9 Entrance and Sightlines of Appendix 1 Development and Design Standards of the CDP. The unsolicited further information and appeal submission details sightlines of 160m in both directions from the site entrance drawing no. 2024 C1128 v1.0.
- 8.17. I do not agree that vehicles will block sightlines from the site access as the applicant has demonstrated to my satisfaction that 2-3 HGV vehicles can be parked on site at any one time to allow for the safe egress to and from the site. I note that the applicant has also suggested a planning condition for an appropriate HGV management process to alleviate concerns in the event that they anticipate a concentration of vehicles on site at any one time.
- 8.18. On my site visit I observed that the appropriate sightlines can be achieved in both directions, and also note that the first party appellant is proposing to upgrade the existing site entrance. I am of the opinion that any potential visual obstruction created by the wool shed regarding sightlines to the north is marginal, and it is therefore reasonable to consider this as part of an overall balanced assessment of an existing access. Further to this, I accept that the land ownership extends to encompass the 160m sightlines in both directions from the site entrance and the landowner has authority to set back the hedgerow to the south.
- 8.19. I note the PA position, and that of TII including reference to section 2.5 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012) regarding intensification of existing accesses. I note that the first party appellant outlines that there is no significant intensification of the existing site access. I have also considered the PA response and reason for refusal and third party submissions which considers it an intensification of the existing access and safety issues associated with HGV movements off the N81.
- 8.20. I note the Transport Appeal Note outlines an average of 45 HGV trips per week, with an average of 6 no. trips per day in a 7-day week, which equates to approximately one trip per hour. Based on the trip generation details submitted I do not accept that the volume of traffic that will utilise the site will lead to a significant build-up of vehicles turning into and out of the site off the N81 when compared with the typical operations of a farmyard. I also do not consider that the seasonal operations associated with the proposed business would differ significantly than

those of a farmyard. It is for this reason that I do not consider the proposed change of use to represent an intensification of an existing access.

8.21. The proposed vehicles will enter and exit the site off the N81. I do not consider vehicular movements associated with the site to be excessive or exceed normal vehicular movements on a national road. I also consider that vehicular movements in the area are already associated with the existing business premises in Baltinglass and I do not see any increased pressure on, or damage to the road network as a result.

8.22. Overall and on balance I consider that the proposed change of use will not result in an intensification of the existing agricultural access, and sightlines can continue to be achieved in both directions from the upgraded access.

8.23. Having regard to the above, I therefore recommend to the Commission that the PA's reason for refusal regarding traffic should be overturned.

Operational issues

8.24. The Environment Report dated 12/12/25 and the Senior Executive Planners report signed 26/01/26 both outline that the applicant has not satisfactorily addressed the issue regarding washwater produced from precleaning the grain. The Environment report requests machine specific information and confirmation from the manufacturer that no cleaning of chemical line/seed treatment equipment to remove residues takes place and no washdown is produced. This subsequently formed a reason for refusal.

8.25. I note the details submitted by the first party appellant as part of their appeal which includes details on cleaning and management provided by the manufacturer and supplier Cimbria. This confirms that the system is designed to operate without environmental emissions, that no water is used, the system does not generate washwater and operates utilising a dry mechanical separation process. Residues are generated in dry form only and are captured in the dust extraction and collection system and which is then removed in sealed containers. Cleaning is also undertaken using dry methods, and maintenance does not require water.

8.26. I have taken into account concerns raised regarding noise, and other factors. I consider that the proposed development is located an appropriate and safe distance from the nearby residential dwellings. I also note that the Environment section of the

PA did not raise any concerns regarding health impacts. The Environment section outlines that dust could be dealt with by way of a suitable planning condition. I concur with this.

8.27. I am of the opinion that the new buildings will have better sound insulation qualities than the existing agricultural sheds and the old buildings associated with the existing business premises in Baltinglass. I am also satisfied that an appropriate planning condition can ensure the mitigation measures of the noise report are implemented.

8.28. Third party submissions outlined concerns regarding the operating hours of the site. I consider that a significant amount of agricultural traffic would be associated with a rural farmyard and I do not see the proposed development as being dissimilar to those typical agricultural operations. I am satisfied that a suitable planning condition can be included in the event of a grant of permission to ensure appropriate operating hours for the business.

8.29. I note that the Environment section of the PA did not raise any concerns regarding fuel storage in their assessment. Regarding the nature of the business, I do not consider the storage of fuels on site as a major element of the operations. As this is a seed processing plant the vehicles which deliver to the site will generally also depart after their deliveries and therefore, I do not foresee the need to store large amounts of fuel on site. Furthermore, I do not consider the storage of any potential fuel to exceed that of the normal operations of a farmyard. I also do not consider the general operations of the business to pose any potential safety risk to the immediate vicinity.

8.30. Concerns were raised by third parties regarding the fact that the development will attract vermin. I note the response in the Environment report dated 16/07/25 which outlines that the applicant has confirmed they have an existing contract with a pest control company and measures will be implemented in this regard upon the approval of planning permission. I am satisfied that a suitable planning condition can address this in the event of a grant of permission.

I note the submission regarding lighting concerns. I am satisfied that a suitable planning condition can be included in the event of a grant of permission to ensure lighting associated with the site is agreed in writing with the Planning Authority prior to the commencement of development.

8.31. Having regard to the details and evidence provided by the first party appellant I am satisfied that the issues outlined by both the SEP and the Environmental Officer regarding the operations of the facility and which formed a reason for refusal have been addressed in full. I therefore recommend to the Commission that the PA's reason for refusal regarding site operations should be overturned.

Waste Water Treatment

8.32. I note the reason for refusal outlined in the Senior Executive Planners report signed 26/01/26 which outlines the requirement for a 7PE system and 105m² attenuation layer. The 105m² attenuation layer referred to within the Planners Report is associated with the provision of a trenched based percolation area. The PA Environment section also recommended a larger attenuation area.

8.33. I have reviewed the appeal documents, including the Site Suitability Assessment and Cover Letter which proposes an 8 PE system and 60m² percolation area for a Coco filter. I also consider that the employees would not be on site on a full time basis and that this element would not utilise normal PE calculations. I am satisfied that the proposal conforms to the EPA Code of Practice 2021 including the appropriate size and location of the percolation area, and the 1999 Wastewater Treatment Manual-Treatment Systems for small communities, business, leisure centres and hotels' regarding the commercial discharge element of the site. I also note that an existing septic tank will also be decommissioned.

8.34. I recommend to the Commission that the previous reason for refusal regarding wastewater treatment be overturned as I am satisfied that the first party appellant has demonstrated a septic tank system suitable for the onsite demand and an appropriately sized percolation area all in accordance with the EPA Code of Practice 2021.

Visual Impact

8.35. I note the third party submission raised concerns regarding the visual impact associated with the proposed development. This includes the demolition of two existing buildings which are 5.5m in height, and the construction of 2 no. replacement buildings with 2 no. attached seed dryers. The proposed buildings will have a height of c12m with the highest point of the seed dryers extending to 15.55m.

8.36. During my site visit I noted the scale of the buildings subject to demolition when viewed from the public road. I accept that the height of the proposed structures exceeds the height of the existing agricultural buildings on site, and I accept that there is a limited visual impact associated with the new structures. However, notwithstanding this, the proposed buildings are located centrally and to the rear of the site and I consider the seed dryers to be slim in design. Overall and on balance, I consider that the development will have a limited visual impact.

8.37. I also consider that there will be a visual impact associated with the proposed structures, whether they are located on the appeal site or on the referenced 'E' zoned lands to the north of the site, or anywhere else within the area. On balance however I am of the view that visual impact cannot be viewed in isolation and must be viewed in the overall context of satisfying Objectives CPO 9.10, 9.35, and 9.38 and facilitating the expansion of an existing local based business in accordance with Objective CPO 9.23.

Other Matters

8.38. The Commission should also note that one of the submissions outlined that the site is currently used for storage and a weighbridge has already been installed. I consider this an enforcement issue and any matter of enforcement falls under the jurisdiction of the Planning Authority.

8.39. A number of other matters were also raised by both the appeal submissions and the original submissions to the local authority which I will address below.

Start of a larger development

I note the submissions raise concerns that the site will expand beyond what is proposed. In the event of a grant of permission the development would be bound by the planning decision and associated conditions. It would not be permissible for the site to develop beyond what is approved and any attached planning conditions. Any further development would require subsequent planning permission and therefore expansion of the site can only occur on that basis.

No community engagement

A number of the third-party submissions outlined that no community engagement was undertaken regarding the development. However, community engagement is not

a statutory obligation except for the publication of the development proposal and the erection of the site notice. I am therefore satisfied that the first party appellant engaged with the planning authority and submitted a planning application in accordance with the requirements of s34 of the Planning and Development Act 2000 (as amended).

Land Use

A submission outlined that the appeal site would be better used for housing due to feasibility issues on other sites. The development of housing however is confined to those areas identified within CDP and which are zoned for such development and supported by the data contained within the core strategy of the CDP. The appeal site is not land zoned for housing and therefore it would not be appropriate for housing to be developed on the appeal site.

Report Errors

8.40. I also note the argument put forward in the original submissions by a third party to the PA in that the mapping of the new residential development off the Castledermot Road roundabout is not included in a number of the professional reports. I do not see this as being a significant factor in my assessment, although old aerial images are used in the Planning Report for example the report still includes residential developments located closer to the appeal site. This is the same situation with respect to the noise impact assessment which identified a number of monitoring locations which are all located closer to the appeal site than the referenced new residential development. In summary I do not accept that the omission of this development has any impact on the findings or assessment contained within these reports.

Property values

I do not consider that property values will be impacted from the proposed development as the site is an existing farmyard and I am satisfied that the proposed development is located an appropriate distance from the nearest residential house.

9.0 AA Screening

I have considered the project in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located c0.9km south west of the Special Area of Conservation: Slaney River Valley SAC.

The proposed development comprises a change of use of agricultural yard to industrial seed processing facility.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Small scale and nature of the development
- Location and distance from nearest European site and lack of connections.
- Taking into account screening determination by LPA.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive, together with relevant guidance published by the Environmental Protection Agency (Ireland), including applicable codes of practice for the protection of water quality. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and

in respect of temporary and permanent effects. The proposed surface water design includes soakpits and swales with drainage to be contained on site. An existing water connection to the site provides potable water.

Furthermore, the development will not adversely affect the achievement of established environmental objectives, including the maintenance or attainment of Good Ecological Status/Potential and Good Chemical Status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4

11.0 Recommendation

I recommend to the Commission that permission be granted for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to:

- the provisions of the Wicklow County Development Plan 2022-2028, including Policy 9.35 which facilitates rural related business in a rural area.
- the nature, scale, and location of the proposed development in an existing farmyard,
- the pattern of development in the surrounding area,
- the measures to ensure traffic safety regarding an existing entrance,
- the separation distances from neighbouring dwellings,

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 be acceptable in terms of road safety, and would be acceptable in terms of visual amenity. Therefore, the proposed development would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be 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. 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. 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

5. Prior to the commencement of development a 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 interest of amenities and public safety

6. The applicant shall comply in full with the following:
 - (a) The hours of operation shall be restricted to between 8.00am to 7.00pm 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.

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 23/02/26 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 interest 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 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 hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

17. Site development and building works shall be carried out between the hours of [08:00 to 18:00] Mondays to Fridays inclusive, between [08:00 to 14:00] 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 phase.

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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Donal Farrelly
Planning Inspector

28/05/26

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	
Proposed Development Summary	Change of use from agricultural use/yard to industrial seed processing facility with the provision of 2 no. industrial buildings to replace 2 no. existing agricultural buildings, enhancement of existing access, internal vehicular circulation and parking areas, provision of a WWTS, and provision of other plant.
Development Address	Clough Upper, Baltinglass, Co. Wicklow
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	

<p>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p>	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	<p>State the Class here</p>
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	<p><i>Class 10a Industrial estate development projects, where the area would exceed 15 hectares. The proposed</i></p>

<p>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>development is on a site of 1.42 ha and is therefore sub-threshold. Class 14 demolition works are too small to be of any significance and would not be likely to have any significant effects on the environment.</p>
<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	Change of use from agricultural use/yard to industrial seed processing facility with the provision of 2 no. industrial buildings to replace 2 no. existing agricultural buildings, enhancement of existing access, internal vehicular circulation and parking areas, provision of a WWTS, and provision of other plant.
Development Address	Clough Upper, Baltinglass, Co. Wicklow
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is small in scale, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural	The development is situated in a rural area and contains an existing residential dwelling and agricultural sheds/farmyard. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.

<p>resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>None</p>
<p>There is no real likelihood of significant</p>	<p>EIA is not required.</p> <p>The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the</p>

effects on the environment.	characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.
------------------------------------	--

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)