



An
Bord
Pleanála

Board Direction
BD-009346-21
ABP-310167-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/11/2021.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the nature, scale and location of the proposed development and to Wicklow County Council's "Policy for Domestic Wastewater Treatment Systems" (June 2021) which includes additional requirements for waste water treatment systems including a minimum separation distance of 200m from Blessington Reservoir, it is considered that the proposed development would constitute a hazard to public health having regard to the risk it would pose in relation to the water quality in the adjoining reservoir. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and its water body.
2. On the basis of the information provided with the application and appeal, the Board cannot be satisfied, beyond reasonable scientific doubt, that the proposed development, in the absence of mitigation measures, would not have significant effects in the light of the conservation objectives and qualifying interests of the European site. Therefore, in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Poulaphouca Reservoir Special Protection Area (Site Code: 004063), in view of the site's Conservation

Objectives. In such circumstances the Board is precluded from granting permission.

Note: The Board shared the Inspector's concerns in relation to the compliance of the proposed development with the Tourism and Recreation Objectives of the Wicklow County Development Plan, 2016-2022, but in the light of the substantive reasons for refusal set out above, decided not to pursue this issue.

Copy of Board Direction to issue with the Board Order.

Board Member

Maria FitzGerald
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Date: 01/11/2021