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The submissions on this file and the Inspector's report were considered at a meeting held on 30 April 2026.

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

**Planning Commissioner:**

*Patricia Calleary*

**Patricia Calleary**

**Date:**

**1<sup>st</sup> day of May 2026**

## **DRAFT WORDING FOR ORDER**

### **Reasons and Considerations**

1. Having regard to the nature of the proposed development, it is considered that the proposed development would be contrary to tourism and recreation related development policy and objectives of the Wicklow County Development Plan 2022-2028, including Objectives CPO 11.2, CPO 11.4, CPO 11.7, CPO

11.13, and CPO 11.15. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the stated anticipated population equivalent (PE) in excess of 10 persons for the proposed replacement wastewater treatment system, the Commission is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated or disposed of on site in accordance with recommendations set out in the EPA Wastewater Treatment Manual (Treatment Systems for Small Communities, Business, Leisure and Hotels) 1999 and, in particular, the recommended separation distances contained therein, notwithstanding the proposed replacement Tertiary Treatment System and Infiltration /Treatment Area. Furthermore, the Commission is not satisfied that the proposed development would not be prejudicial to public health or would be in accordance with Objective CPO 13.18 of the Wicklow County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the lack of information submitted, the Commission is not satisfied that the existing effluent treatment system on the site currently serving the dwelling, granny flat and proposed to serve Cabin 6 has the capacity to effectively treat foul effluent arising from the existing development. The Commission is not satisfied that, taken in conjunction with existing development on the site, the proposed development would not result in an excessive concentration of development being served by wastewater treatment systems on the same site. The proposed development would be prejudicial to public

health and would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The site is located proximate to the Glencullen 10 (Code: IE\_EA\_10G020300) and Dargle\_030 (Code: IE\_EA\_10D010250) which are indicated as having a 'High' and 'Good' Water Framework Directive status and stated as being 'Not At Risk'. It is considered that the proposed development would pose a risk to the ability of these waterbodies to achieve the required Water Framework Directive quality status. Furthermore, having regard to the Wicklow Groundwater Body which underlies the site and is stated as being 'At Risk', it is considered that insufficient information has been presented with the planning application and the appeal to definitively determine whether or not the proposed development would not result in a deterioration of the existing Water Framework Directive quality status of these waterbodies. The Commission is not satisfied that the proposed development would not impact negatively upon the ability of the aforementioned waterbodies to achieve the relevant water quality status required under the Water Framework Directive. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. It is considered, based on the lack of information provided with respect to sightlines in both directions, that the proposed development would endanger public safety by reason of traffic hazard. The proposed development would also result in the intensification of use of access to the lands and would create additional traffic movements on a narrow local road. The Commission is not satisfied that the proposed development would comply with Objective CPO 12.54

of the Wicklow County Development Plan 2022-2028 which seeks to protect rural roads from inappropriate development and ensure that road capacity be reserved for necessary rural development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.