

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/919

An Bord Pleanála Reference Number: PL 27.246825

APPEAL by George Murphy of Hollywood Cross, Hollywood, County Wicklow against the decision made on the 15th day of June, 2016 by Wicklow County Council to grant subject to conditions a permission to Brendan Daly of Knockroe, Hollywood, County Wicklow.

PROPOSED DEVELOPMENT: Installation of a puraflo wastewater treatment system at Hollywood Cross, Hollywood, County Wicklow.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

The site for the proposed development is located in an area identified by the Environmental Protection Agency as being of very high risk from domestic waste water pollution, and is proximate to an area at risk of flooding. It is considered that, by reason of the extremely limited area within which to locate a waste water treatment system and associated percolation area/raised polishing filter, and the close proximity of other structures, including petrol and diesel pumps and associated infrastructure, and by reason of the lack of compliance with the minimum separation distances set out in the Code of Practice "Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. < 10), issued by the Environmental Protection Agency in 2009, due, inter alia, to the proximity of the subject site to neighbouring residential property, the proposed development would be prejudicial to public health, and would seriously injure the residential amenities of adjoining property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was of opinion, based on the documentation submitted with the application and appeal, that the proposal to provide a domestic waste water treatment system for this partly commercial development was not appropriate in the context of this restricted site, and that a fully commercial waste water treatment system, which would allow for the fluctuating loads associated with the sanitary facilities associated with the shop/petrol filling station, may be more appropriate.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.