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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 18/255**

**Appeal** by the Ballymore Eustace Trout and Salmon Anglers' Association care of Thomas Deegan of Broadleas, Ballymore Eustace, County Kildare against the decision made on the 25<sup>th</sup> day of September, 2018 by Wicklow County Council to grant subject to conditions a permission to Irish Water of Colvill House, 24-26 Talbot Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Upgrade of the Blessington Wastewater Treatment Plant. The works will include the construction of two new primary treatment units, one new anoxic tank, associated pump sumps, tertiary treatment infrastructure and all associated site works at Burgage More, Blessington, 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.**

## **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**

Having regard to the proposed upgrade of the Blessington Waste Water Treatment Plant which is necessary to address current capacity constraints and to improve compliance with discharge requirements, and to the relevant policies and objectives of the Wicklow County Development Plan 2016-2022 and the Blessington Town Plan 2013-2019, which seek to improve and expand waste water treatment facilities, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenity of the area or of property in the area and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development would help to meet the current licensing requirements for discharges and, based on information provided by the applicant and assessed by the local authority's Environment Section regarding the assimilative capacity in the receiving environment, would not seriously injure public health or the environment.

## **Appropriate Assessment Screening**

Having regard to the Appropriate Assessment Screening Report submitted with the application, the report of the Inspector and the nature, scale and location of the proposed development, the Board is satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have significant effects on the Poulaphouca Reservoir Special Protection Area (Site Code 004063), or any other European site, in view of the conservation objectives of those sites.

## **Environmental Impact Assessment Screening**

The Board notes that the proposed development, which is of a class of development specified in Schedule 5 of the Planning and Development Regulations, 2001, as amended, is sub-threshold development. The Board hereby determines that the proposed development would not be likely to have significant effects on the environment having regard to the criteria as set out in Schedule 7 of the 2001 Regulations, as amended. Accordingly, an Environmental Impact Assessment is not required for the proposed development.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 31<sup>st</sup> day of August, 2018, 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. Odour levels at the site boundary shall comply with the odour concentration limit of 3 odour units per cubic metre on the 98<sup>th</sup> percentile basis of hourly averages. As and when required by the planning authority, the developer shall submit a report carried out by a suitably qualified professional, detailing compliance with the requirements of this condition.

**Reason:** In the interest of protecting residential amenity of properties in the vicinity.

3. (a) The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development to accord with the details identified in the Appropriate Assessment Screening Report submitted on the 13<sup>th</sup> day of March 2018. The Plan shall also identify the hours of working and noise management measures.
- (b) The developer shall retain the services of a suitably qualified Clerk of Works to monitor and record the implementation of the mitigation measures. Such records shall be kept on site and made available for inspection by the planning authority upon request.

**Reason:** In the interests of public safety, residential amenity and pollution prevention.

4. Details of the materials, colours and textures of all the external finishes and boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

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

**Dated this            day of            2019.**