



An  
Bord  
Pleanála

## Board Order ABP-304037-19

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### Planning and Development Acts 2000 to 2018

### Planning Authority: Wicklow County Council

**Application** for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 22<sup>nd</sup> day of March 2019 by Capami Limited care of John Spain Associates, 39 Fitzwilliam Place, Dublin 2.

#### Proposed Development:

A permission for a strategic housing development at Kilgarron Hill in the townland of Parknasilloge, Enniskerry, County Wicklow. The subject lands are located north of the Glenree Road. Part of the public road is included in the application site including the Glenree Road along the site boundary towards the town centre on Kilgarron Hill. The application site is 8.183 hectares.

The proposed development will consist of:

1. 218 number residential units consisting of:
  - 19 number one-bed units,
  - 42 number two-bed units,
  - 109 number three-bed units,
  - 45 number four-bed units and
  - 3 number five-bed units.

The units comprise of a mix of own door apartments, terraced housing, semi-detached and detached housing and vary in heights from one to three storeys.

2. Childcare facility of 373.4 square metres.
3. Two main vehicular accesses off the Glencree Road.
4. Repair, replacement and provision of new drainage and pedestrian infrastructure including lighting towards the town centre on Kilgarron Hill along the Glencree Road.
5. All associated site development and infrastructural works including amenity spaces, landscaping, open space, boundary treatments, vehicular parking, bicycle parking, utilities, internal roads, footpaths and shared surfaces, playground, site clearance and temporary construction development.

## **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**

Having regard to the proximity of the subject development to the Knocksink Wood Special Area of Conservation (site code 000725), to the potential for impacts on the qualifying interests and conservation objectives of this European Site due to alterations to the natural hydrogeology associated with the proposed development, and to the sensitivities of the European Site to land modification of the development site, both through diversion of groundwater from the gravel layers and the gravel layers acting as a hydrological pathway for polluted water, it is considered that the documentation submitted as part of the application, including the Natural Impact Statement dated March 2019, and accompanying engineering and hydrogeology reports, is insufficient to provide a full understanding of the hydrogeology of the lands, and fails to provide a conceptual hydrogeological model that establishes, beyond scientific doubt, that the proposed development would not adversely affect the integrity of this European Site.

In particular, while the Natura Impact Statement states that the catchment zone or groundwater catchment zone for the petrifying springs within Knocksink Wood Special Area of Conservation lies outside the refined Action Area Plan (AA1) zone, as detailed in figure 2 of the Natura Impact Statement, it is considered that the submitted documentation does not provide scientific evidence to support this statement. The origin of the catchment zone and the hydrogeological information on which it was based has not been supplied, and a conceptual hydrogeological model of the site of the proposed development, and its connection to the European Site, has not been provided. In the absence of mitigation, it is accepted in the Natura Impact Statement that the natural hydrogeology within the subject lands could potentially be altered which could result in adverse impacts on the qualifying interest habitats of Knocksink Wood Special Area of Conservation (which have a high sensitivity to changes in both ground and surface water levels). Without sufficient information to inform the design and management of surface water flows and infiltration, the Board cannot be satisfied that the proposed mitigation measures would remove the potential for impact on petrifying springs with tufa formations, which is a qualifying interest habitat of this European Site.

The Board, therefore, cannot be satisfied, beyond reasonable scientific doubt, that the proposed development, either individually or in combination with other plans and projects, would not adversely affect the integrity of Knocksink Wood Special Area of Conservation, in view of the site's conservation objectives and qualifying interests. The Board is, therefore, precluded from granting planning permission for the proposed development.

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**Philip Jones**

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

**Dated this        day of                                2019**