

An  
Bord  
Pleanála

Board Order  
ABP-310167-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 20/914**

**APPEAL** by Irish Water of Colvill House, 24-26 Talbot Street, Dublin and by Dublin City Council - Liffey Works, Water Treatment Plant, Water Services, Environment and Transportation Department of Ballymore Eustace, County Kildare against the decision made on the 9<sup>th</sup> day of April 2021 by Wicklow County Council to grant subject to conditions a permission to Alan and Sharon Cowley care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin.

**Proposed Development:** The sub-division and conversion of an existing single and two storey agricultural outbuilding to provide five number holiday cottages (three number one bedroomed and two number two bedroomed) to include modifications to existing elevations and provision of roof lights, relocate the existing entrance, replace the Waste Water Treatment System with an Integrated Constructed Wetland System to treat wastewater generated from the existing dwelling and the holiday cottages and all associated site works and landscaping at Knockieran Cottage, Knockieran Lower, Blessington, County Wicklow.

*MPJ*

## **Decision**

**REFUSE permission for the above proposed development in accordance with 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**

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 200 metres 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.



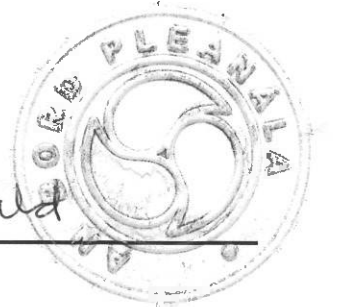
2. On the basis of the information provided with the application and the appeal, the Board cannot be satisfied, beyond reasonable scientific doubt, that the proposed development, in the absence of mitigation measures, would not have significant effects in the light of the conservation objectives and qualifying interests of the European site Poulaphouca Reservoir Special Protection Area (Site Code: 004063). In the absence of a Natura impact statement, the Board, therefore, cannot be satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on Poulaphouca Reservoir Special Protection Area, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



**Dated this 4<sup>th</sup> day of Nov. ' 2021**