

An  
Coimisiún  
Pleanála

Commission Order  
ABP-320923-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 2460383**

**Appeal** by Charlie Dunne of 19 Darley Street, Harolds Cross, Dublin against the decision made on the 12<sup>th</sup> day of September 2024, by Wicklow County Council to grant, subject to conditions, a permission to Jason Kenna care of Rocky Valley, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Replacement of the existing septic tank with new domestic wastewater treatment system and associated siteworks, all at Primrose Cottage, Killegar, Scalp Road, Enniskerry, 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.

## Reasons and Considerations

Having regard to the existing dwelling on site, and the proposal to upgrade the effluent treatment system to serve this dwelling, it is considered that the proposed development, subject to compliance with the conditions set out below, would not be prejudicial to public health and would, by decommissioning the current septic tank which is located on lands outside the applicants ownership, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

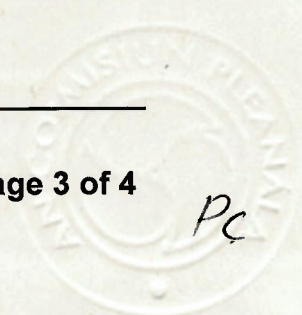
1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 6<sup>th</sup> day of September 2024, except as may otherwise be required in order to comply with the following 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.




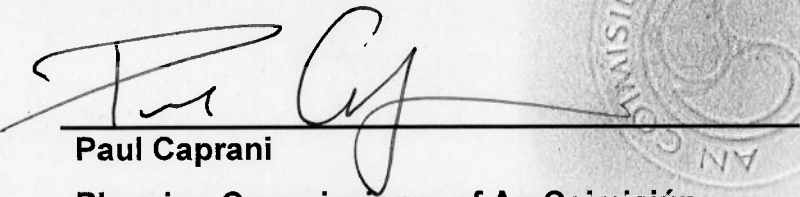
2. (a) The effluent disposal system hereby permitted shall be installed in accordance with the recommendations included within the Site Characterisation Report submitted with this application on the 28<sup>th</sup> day of June 2024, and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021. Photographic evidence of the installation of the secondary unit, distribution chamber and percolation trenches/ polishing filter and pipes shall be submitted on completion of the system.
- (b) Within one month of the completion of the upgraded effluent system, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the upgraded effluent treatment system has been installed, in accordance with this condition.

**Reason:** To ensure the provision of an adequate sewage disposal system, in the interests of public health and residential amenity.



3. Upon completion of the upgraded effluent treatment system, the existing septic tank serving the dwelling shall be removed or backfilled with inert material unless otherwise agreed in writing with the planning authority.

**Reason:** To prevent groundwater contamination.



**Paul Caprani**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 16<sup>th</sup> day of July 2025.