

An
Coimisiún
Pleanála

Commission Order
ABP-322055-25

Local Government (Water Pollution) Acts 1977, as amended

Planning Authority: Wicklow County Council

Register Reference Number: L02-24

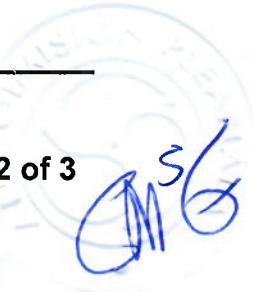
Appeal by Seefin Events Unlimited in relation to the refusing, on the 12th day of February 2025 by Wicklow County Council, of a licence under section 4 of the Local Government (Water Pollution) Act, 1977 for the discharge of sewage effluent from an existing and proposed development at Kippure Estate, Manor Kilbride, Blessington, County Wicklow to groundwaters at Kippure Estate, Manor Kilbride, Blessington, County Wicklow.

Decision

In exercise of the powers conferred on it by section 8 of the Local Government (Water Pollution) Act, 1977, as substituted by section 6 of the Local Government (Water Pollution) (Amendment) Act, 1990, An Coimisiún Pleanála, based on the Reasons and Considerations set out below, hereby refuses the said appeal and directs the said licensing authority to Refuse the said licence.

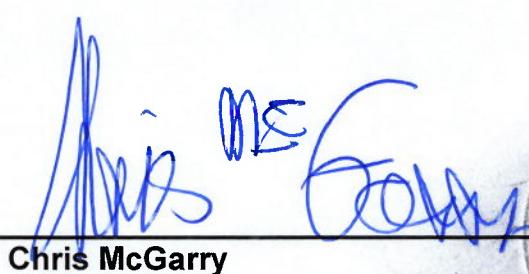
Reasons and Considerations

Having regard to the specific facts of the case, including that no planning consent exists for a wastewater treatment plant of the precise form and nature which is described in the licence application documentation as being the plant from which the proposed discharge the subject of this licence is intended to be sourced, and noting the provisions of Section 8(2) of the Local Government (Water Pollution) Act 1977, as amended, which state that An Bord Pleanála (now An Coimisiún Pleanála), after consideration of an appeal under this section, shall, as it thinks proper, allow or refuse the appeal, it is considered that it would not be appropriate to grant a licence in this context and that a grant of permission for the licence at this time would not be in accordance with the proper, sustainable development of the site.



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In deciding not to accept the Inspector's recommendation to grant permission, the Commission noted and shared the detailed technical opinion of the Inspector that '...the proposed wastewater treatment system has been designed appropriately, will be installed in a suitable setting and location, can be operated within the required parameters and conditions and will have no lasting adverse impacts on groundwater, surface waters and downstream Natura sites'. However, the conditions of the licence specifically relate to a particular wastewater treatment plant from which discharge is intended to issue. No consent exists for such a plant and in this regard allowing a licence for discharge in the absence of a confirmed wastewater source consistent with the detail set out in the licence application would not be in accordance with the sustainable development of the area. For this reason, the Commission decided not to accept the recommendation of the Inspector, though the Commission fully accepted the technical assessment of the Inspector.



Chris McGarry

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

Dated this 23rd day of January 2026.