An Coimisiún Pleanála

Commission Order

PL-500334-WW-25

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2460597

Appeal by Aysar Barbouti against the decision made on the 29th day of October, 2025 by Wicklow County Council to grant, subject to conditions, a permission to Joe O'Neill in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) The completion of a 366.32 square metres first floor bedroom extension and roof to existing ground floor plan consisting of dining room, reception, sun lounge, toilets, store, lift and lobby to existing ground floor extension (works to involve construction of an upper storey and roof for the north-western extension and works required for the completion of the two-storey extension), car parking, connection to existing services and site ancillary works granted under planning register reference number 08/20 (all existing works on site are permitted under planning reference number 08/20); (2) amendments to planning register reference number 08/20 to include revised parking and access arrangements including construction of a car park and access road, including the felling of 17 number trees (as permitted under planning reference number 08/20); (3) tree planting and landscaping around the car park and throughout the site; (4) decommissioning of an existing on-

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site wastewater treatment plant, and construction of a pressurised connection via a new 1.1 kilometres rising main to an Uisce Éireann foul sewer for treatment in the Laragh public Wastewater Treatment Plant (route will cross woodland, agricultural land, the Glendasan River and pass to and along the R756 road to the foul sewer). Foul pumping station to be constructed adjacent to the existing Wastewater Treatment Plant, as well as two number air valves and a scour valve chamber along the route; (5) construction of surface water drains discharging to the Glendasan River; (6) existing wellbore for connection to hotel and (7) all associated works including service connections at Woollen Mill, Derrybawn, Laragh, County Wicklow, as revised by the further public notices received by the planning authority on the 7th day of September, 2025.

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 planning history of the site, the provisions of the Wicklow County Development Plan 2022-2028 including the Laragh-Glendalough Land Use and Tourism Plan 2022-2028, and the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not adversely impact on biodiversity or the surrounding environment, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Appropriate Assessment Stage 1

The Commission considered the documents submitted with the planning application, and all the other relevant submissions on file, including the Natura Impact Statement (NIS) which was submitted with the application, and the revised Natura Impact Statement submitted as further information, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Wicklow Mountains Special Area of Conservation (Site Code: 002122) is the only European Site in respect of which the proposed development has the potential to have a significant effect in view of the conservation objectives for the site and that a Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment Stage 2

The Commission considered the Natura Impact Statement, the revised Natura Impact Statement submitted and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposed development on the Wicklow Mountains Special Area of Conservation (Site Code: 002122) in view of the site's conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the site using the best available scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

(a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,

(b) the mitigation measures which are included as part of the current proposal, and

(c) the conservation objectives for the European Site.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the site's conservation objectives. In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site in view of its conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed development and there is no reasonable scientific doubt as to the absence of adverse effects.

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 received by An Coimisiún Pleanála on the 22nd day of September 2026, 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.

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2. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented in full.
Reason: To protect the integrity of European Sites.

3. Prior to the commencement of development, the developer shall enter into a legal agreement with the planning authority specifying that the entire development that this permission refers to, shall be held in single ownership and shall not be subdivided, and the holiday units shall be available for short term holiday letting only of a maximum duration of four weeks. This agreement shall be registered as a burden against this site in the Land Registry within three months of commencement of development.
Reason: To ensure that the water supply and sewage effluent facilities can be adequately maintained, in the interest of public health, and to ensure that the development accords with the policies of the development plan as regards tourism infrastructure.

4. Prior to commencement of development, the material to be used on the access road for the refuse trucks and fire tender vehicles shall be agreed in writing with the planning authority. The proposed material shall be selected in liaison with the project ecologists.
Reason: In the interest of proper planning and sustainable development.

5. Prior to the commencement of development, the developer shall engage with Inland Fisheries Ireland to develop a detailed method statement for the construction of the proposed river crossing and to agree any further design details for the protection of the watercourse during the construction and operational phases of the development. The method statement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.
Reason: To protect the environment.

6. Artificial lighting shall be designed in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting at Night). A lighting plan shall be submitted to, and agreed in writing with, the planning authority for approval, prior to commencement of development.
Reason: To protect biodiversity and to reduce disturbance of species.

7. The construction of the development shall be managed in accordance with a Construction and Environmental 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, including:

(a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,

(b) location of areas for construction site offices and staff facilities,

(c) details of site security fencing and hoardings,

(d) details of on-site car parking facilities for site workers during the course of construction,

(e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,

(f) measures to obviate queuing of construction traffic on the adjoining road network,

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(g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,

(h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,

(i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,

(j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,

(k) measures to protect watercourses in the vicinity of all works and in particular the Glendasan River,

(l) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority, and

(m) details of how Derrybawn Bridge will be protected during the construction stage and how construction traffic will be managed to adhere to the weight restriction on the bridge.

Reason: In the interests of amenities, public health and safety and environmental protection.

8. The developer shall submit a Car Park Management Plan and details of car parking design, layout and management to the planning authority for agreement in writing prior to the commencement of development.
Reason: In the interests of sustainable transport and safety.

9. The developer shall submit a plan for the provision of cycle spaces and adequate storage facilities for bicycles for agreement in writing with the planning authority prior to the commencement of development.
Reason: In the interests of sustainable transport and safety.

10. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.
Reason: In the interest of public health.

11. (a) Prior to the commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and wastewater collection network.

(b) The lids of the foul pumping station shall be constructed at a safe level above the Flood Zone A level to prevent ingress of flood water and overflow.

(c) The existing wastewater treatment system shall be decommissioned and an independent inspection report carried out by a suitably qualified professional shall be submitted to the planning authority prior to the commencement of operation of the development.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

12. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works, the archaeologist shall consult with and forward to the Local Authority archaeologist or the National Monuments Service as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation, either in situ or by record, of places, caves, sites, features or other objects of archaeological interest.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.
Reason: In order to safeguard the residential amenities of property in the vicinity.

14. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.
Reason: In the interests of protecting the environment and biodiversity.

15. (a) An accurate tree survey of the site, which shall be carried out by an arborist or landscape architect, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.

(b) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

Reason: To facilitate the identification and subsequent protection of trees to be retained on the site, in the interest of visual amenity.

16. All trees and hedgerows within and on the boundaries of the site, except those specified trees/hedgerows whose removal is authorised by the planning authority to facilitate the development, shall be protected during construction and retained thereafter.
Reason: To protect the environment and biodiversity.

17. Prior the commencement of felling/works, trees and buildings with bat roosting potential shall be surveyed by a suitably qualified Ecologist who is appropriately qualified and experienced in undertaking bat surveys and in line with best practice at the appropriate time of year to confirm the absence of roosting bats. In the event that a previously undetected bat roost is identified and is likely to be disturbed, the developer shall acquire a derogation under Regulation 54 of the European Communities (Bird and Natural Habitats) Regulations 2011 prior to the commencement of the relevant works. Prior to the removal of trees and/or works to building, the bat survey results, methodologies for felling/works and any derogations shall be submitted for the written agreement of the planning authority.
Reason: To protect the environment and biodiversity.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Marie O'Connor

Marie O'Connor
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 13th **day of** November **2026.**