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**Planning and Development Act 2000, as amended**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 25/60841**

**Appeal by** Tina and Eoin McDermott against the decision made on the 8<sup>th</sup> day of December, 2025 by Wicklow County Council to refuse permission.

**Proposed Development:** Seven number self-catering units for agri-tourism accommodation and upgrade of effluent treatment system, all together with associated site works, all at Highland View Lodge, Killegar, Enniskerry, County Wicklow.

## **Decision**

**REFUSE permission for the above proposed development for the reasons and considerations set out below.**

## **Reasons and Considerations**

1. Having regard to the nature of the proposed development, it is considered that the proposed development would be contrary to tourism and recreation related development policy and objectives of the Wicklow County Development Plan 2022-2028, including Objectives CPO 11.2, CPO 11.4, CPO 11.7, CPO 11.13, and CPO 11.15.

2. Having regard to the stated anticipated population equivalent (PE) in excess of 10 persons for the proposed replacement wastewater treatment system, the Commission is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated or disposed of on site in accordance with recommendations set out in the EPA Wastewater Treatment Manual (Treatment Systems for Small Communities, Business, Leisure and Hotels) 1999 and, in particular, the recommended separation distances contained therein, notwithstanding the proposed replacement Tertiary Treatment System and Infiltration /Treatment Area. Furthermore, the Commission is not satisfied that the proposed development would not be prejudicial to public health or would be in accordance with Objective CPO 13.18 of the Wicklow County Development Plan 2022-2028.
  
3. Having regard to the lack of information submitted, the Commission is not satisfied that the existing effluent treatment system on the site currently serving the dwelling, granny flat and proposed to serve Cabin 6 has the capacity to effectively treat foul effluent arising from the existing development. The Commission is not satisfied that, taken in conjunction with existing development on the site, the proposed development would not result in an excessive concentration of development being served by wastewater treatment systems on the same site.
  
4. The site is located proximate to the Glencullen 10 (Code: IE\_EA\_10G020300) and Dargle\_030 (Code: IE\_EA\_10D010250) which are indicated as having a 'High' and 'Good' Water Framework Directive status and stated as being 'Not At Risk'. It is considered that the proposed development would pose a risk to the ability of these waterbodies to achieve the required Water Framework Directive quality status. Furthermore, having regard to the Wicklow Groundwater Body which underlies the site and is stated as being 'At Risk', it is considered that insufficient information has been presented with the planning application and the appeal to definitively determine whether or not the

proposed development would not result in a deterioration of the existing Water Framework Directive quality status of these waterbodies. The Commission is not satisfied that the proposed development would not impact negatively upon the ability of the aforementioned waterbodies to achieve the relevant water quality status required under the Water Framework Directive.

5. It is considered, based on the lack of information provided with respect to sightlines in both directions, that the proposed development would endanger public safety by reason of traffic hazard. The proposed development would also result in the intensification of use of access to the lands and would create additional traffic movements on a narrow local road. The Commission is not satisfied that the proposed development would comply with Objective CPO 12.54 of the Wicklow County Development Plan 2022-2028 which seeks to protect rural roads from inappropriate development and ensure that road capacity be reserved for necessary rural development.

Having regard to the reasons outlined above, the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Patricia Calleary*

**Patricia Calleary**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this *06* day of *May* **2026.**

