



An
Bord
Pleanála

Inspector's Report PL27.249236

Development	Renovation of stone mill annexe building and change of use into 2 apartments.
Location	Sevenchurches or Camaderry, Glendalough, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	17/759
Applicant(s)	God's Cottage Charitable Trust
Type of Application	Permission
Planning Authority Decision	To Refuse Permission
Type of Appeal	First Party v. Decision
Appellant(s)	God's Cottage Charitable Trust.
Observer(s)	No observers
Date of Site Inspection	18 th December 2017
Inspector	Erika Casey

1.0 Site Location and Description

- 1.1. The subject site is located at God's Cottage, Glendalough, Co. Wicklow. The site currently accommodates the God's Cottage Prayer Centre. The saw mill annexe is one of two such structures located within an existing stone wall courtyard which has a gated access. Both structures, were extensively damaged by fire in an arson attack in 2016. They are located to the north of the existing prayer centre. The subject site is a small single storey annexe which sits perpendicular to the main mill structure. The building is in ruinous condition with parts of the exterior walls intact. The roof has been destroyed.
- 1.2. Access to the subject site is via an existing vehicular driveway which connects with the R757 to the south. The River Glandasan runs along the north eastern boundary of the site. The Glendalough historic monastic site is located c. 300 metres to the south and the Glendalough Hotel and visitor centre are to the east.

2.0 Proposed Development

- 2.1 The proposed development comprises the renovation of the existing fire damaged saw mill annexe including the refurbishment of the remaining enclosing walls, the provision of a new replacement roof, the construction of a new south east facing wall and internal alterations. Permission is also sought for the change of use of the structure into 2 no. studio guest apartments to function as tourist accommodation. The mill annexe structure is single storey with a maximum height of 5.4 metres and a floor area of 60.4 sq. metres. A mezzanine bedroom is provided in each unit to accommodate a single bedroom. Living accommodation is provided at ground floor.
- 2.1. It should be noted that when the application was made, there was a concurrent application for the second main mill structure which immediately abuts the subject site. Under this application permission was sought for the refurbishment of the structure and its change of use to a rest centre. This application also sought the refurbishment of the existing courtyard area, the provision of 7 no. car parking spaces and an effluent treatment system and surface water soakaway. This application was subsequently withdrawn.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 To Refuse Permission for the following reasons:

1. *Having regard to:*

- (i) *The location of the site within the 'tourist attractions zone' of the Laragh-Glendalough Settlement and Tourism Plan where it is an objective to generally not permit the development of new tourist related developments, except in limited circumstances;*
- (ii) *The ruinous nature of the building on site which cannot be considered an existing building worthy of conversion or re-use;*
- (iii) *The nature of the proposed development as two apartment units and the lack of details provided regarding the proposed users of the accommodation;*
- (iv) *The lack of details provided to show how the development could be considered a necessary addition that improves the visitor experience or that contributes to the better management of traffic and infrastructure in this area;*

It is considered that the proposed facility, would operate as a new stand alone tourist development. The development would not therefore be in accordance with the vision for the plan area, which requires such facilities to be located within Laragh village and would therefore be contrary to proper planning and development.

2. *Having regard to:*

- a. *the proposal for 7 new on site parking spaces to serve the overall development,*
- b. *the access to the site via a the public road which is already heavily congested with vehicles on a regular basis,*
- c. *the considerable amount of pedestrian movements in the area of the proposed entrance,*

it is considered that the proposed development would result in additional cars, buses, service vehicles etc., on this road network, which does not have adequate

capacity and would result in traffic hazard and endanger pedestrian safety and would therefore be contrary to the proper planning and development of the area.

3. *Having regard to the location of the proposed development in an area identified as being at risk of flooding together with the lack of any Flood Risk Assessment, in accordance with 'The Planning System and Flood Risk Management - Guidelines for Planning Authorities' (DoEHLG, 2009), it is considered that the proposed development would be contrary to public health and proper planning and development.*

3.2. Planning Authority Reports

3.2.1. Planning Report (17.08.2017)

- The site is located in an area designated as 'tourist attractions' the objective of which is not to permit new tourist related developments except in limited circumstances.
- The proposed development is located c. 70m from the existing God's Cottage community centre. It is likely that the proposed apartments would operate as a stand-alone holiday accommodation facility. The accommodation needs of visitors are to be provided in Laragh village and not within the attractions zone.
- Having regard to the ruinous condition of the building which consists of little more than one wall, it is unlikely that the works to be carried out could be considered renovation/conversion or redevelopment and would result in a new building on the site.
- The building is likely to be largely hidden from public view and generally acceptable on visual grounds.
- The development in conjunction with the proposal under the concurrent application may result in an increase in traffic and the potential for busses to accommodate group meetings which may exacerbate traffic congestion in the area.
- It is likely that the current proposal would not unduly compromise the archaeological integrity of the site. It is unlikely that the development would have significant detrimental impact on the integrity of the Natura 2000 site.

- The applicant has failed to submit a flood risk assessment for the development.

3.2.2. Other Technical Reports

Wicklow Area Engineer (25.07.2017): Recommended Further Information regarding the type of vehicles that will use this new facility. It notes that this should be restricted to cars only with no buses allowed due to narrow roads and existing traffic congestion during peak periods at this location.

Environmental Health Officer (05.07.2017): No objection subject to condition.

3.3. Prescribed Bodies

Irish Water (07.07.2017): No objection.

3.4. Third Party Observations

- No observations.

4.0 Planning History

Planning Authority Reference 17/597

- 4.1 This was a concurrent application for the adjoining main saw mill structure on the subject site. The application was withdrawn on the 20th of September 2017.
- 4.2 Permission was sought for the renovation of the existing saw mill building and vehicular yard. The renovations included the refurbishment of all existing stone walls; the provision of new replacement roof; the provision of 3 no. window opes in the existing north east facing wall; the provision of a terrace/deck to the north east of the building; the provision of an effluent system and surface water soakaway and other internal alterations. The application also proposed the change of use of the former saw mill to a Rest Centre and the provision of 7 no. parking spaces within the existing vehicular yard.
- 4.3 It is noted that Further Information was requested in respect of this application. This requested clarification on the nature and operation of the proposed rest facility and justification of its need. Information was also requested regarding the location of the effluent treatment system and its potential to compromise the integrity of mature

trees on the site as well as revisions to the size of the treatment facility. Further clarity was requested regarding flood risk, connection to public water supply and details of waste disposal and management. Concerns were also raised regarding traffic impacts.

- 4.4 Prior to the application being withdrawn, the planner's report in relation to the Further Information Response which was submitted in August 2017, recommended a refusal on the basis that the development would operate as a new stand alone community tourism building that would not be in accordance with the vision of the Laragh Glendalough Settlement and Tourism Plan; that the development would result in a traffic hazard and endanger pedestrian safety; that the development was contrary to the Flood Risk Management Guidelines and that inadequate information was submitted to demonstrate that the effluent treatment system and disposal system would not compromise the integrity of the existing trees.

Planning Authority Reference 15/73

- 4.5 Permission refused in March 2015 for a development comprising the construction is a single storey extension to the existing community prayer centre, relocation of the existing waste water treatment system, provision of 2 no. car parking spaces and a motor coach parking space, upgrade of existing access roadway and provision of overflow car parking.
- 4.6 Reasons for refusal related to the visual impact of the development which it was considered would form a dominant and obtrusive feature at this location; insufficient information regarding the existing effluent treatment system and the excessive scale of car parking provision and potential impacts on archaeology and surface water run-off.

Planning Authority Reference 14/1894

- 4.7 Permission refused in November 2014 for a development comprising an extension to the existing community prayer centre. Reasons for refusal were similar to that under Reg. Ref. 15/73 and related to visual impact, insufficient information regarding the effluent treatment system and scale of parking proposed.

Planning Authority Reference 10/2989

- 4.8 Permission granted in July 2011 for the change of use of the existing cottage to community prayer centre and to extend existing building area for ancillary accommodation.

5.0 Policy Context

5.1. Development Plan

Wicklow County Development Plan 2016-2022

- 5.1.1 The subject site is located within the Mountain Uplands AONB landscape category. There are a number of protected prospects in the vicinity of the site including protected prospect no. 23 and no. 24. The site is located in an area of archaeological potential.

- 5.1.2 Section 7.4 of the Plan sets out objectives regarding Tourism Developments and states:

T7: *“To favourably consider proposals for tourism and recreation related development, which involve the reinstatement, conservation and/or replacement of existing disused buildings and to adopt a positive interpretation to plan policies to encourage such developments. This shall be subject to all other objectives being complied with, and subject to the proper planning and sustainable development of the area. In all areas, preference will be given to the conversion and adaptation of existing buildings rather than the provision of new development on greenfield sites.”*

T13: *“To require new holiday home / self-catering developments to locate within either established settlements or at established tourism / recreation facilities, other than those developments involving the renovation / conversion of existing buildings.”*

- 5.1.3 **Objective HD25** is of relevance and states:

“The conversion or reinstatement of non-residential or abandoned residential buildings back to residential use in the rural areas will be supported where the proposed development meets the following criteria:

- *The original walls must be substantially intact – rebuilding of structure of a ruinous nature will not be considered.*

- *Buildings must be of local visual, architectural or historical interest.*
- *Buildings must be capable of undergoing conversion/rebuilding and their original appearance must be substantially retained (a structural survey by a qualified engineer will be required with any planning application); and*
- *Works must be executed in a sensitive manner and retain architecturally important features wherever possible and make use of traditional and complementary materials, techniques and specifications.”*

Laragh Glendalough Settlement and Tourism Plan 2016-2022

5.1.4 This plan forms a subset of the County Plan and its aim is to establish a framework for the planned, co-ordinated and sustainable development of Laragh and Glendalough. The plan notes that the theme of ‘spiritual heritage’ is making a growing economic and social contribution, as growing numbers of visitors are attracted by the peace and tranquillity of the area, for prayer, retreat and religious activities.

5.1.5 The vision of the plan is centred on a strategy to develop Laragh as a gateway and hub, from which visitors travel to the attractions at Glendalough by means such as walking, cycling or organised transport.

5.1.6 The plan identifies different zones and the subject site is located within the Tourist Attractions Zone - Glendalough. Under Tourism Objective LG6 it is stated:

“iii) Within the Tourist Attractions Area, the planning authority will generally not permit the development of new tourist related developments, except in the following cases: (i) where a development involves the redevelopment or reuse of an existing building, (ii) where a development involves an extension to an existing tourist related development, or (iii) where a development is a strictly necessary addition that improves the visitor experience or that contributes to the better management of traffic and infrastructure in this area. The development of new tourist related developments will only be permitted where it is demonstrated that the integrity of the heritage sites and prospects are not diminished.”

5.1.7 It is further detailed under objective LG7 that the Council will promote tourist developments that are associated with (iii) *retreats and spirituality.*

5.2. Natural Heritage Designations

5.2.1 The subject site is located within 250 metres of the Wicklow Mountains SAC and within c. 400 metres of the Wicklow Mountains SPA.

6.0 The Appeal

6.1. Grounds of Appeal

- The purpose of the guest apartments is to provide accommodation for persons visiting on a pilgrim and retreat basis through God's Cottage. The development will enable the renewal of the former mill annexe that dates from the early half of the 19th Century. It was destroyed in an arson attack and its redevelopment represents a planning gain. It is not a stand-alone development and notes that a concurrent application has been lodged for the main mill building for its conversion to a rest centre (note: this concurrent application was withdrawn after the submission of the first party appeal).
- Notes that prior to the arson attack of 2016, the main saw mill building was a fine stone structure with slate roof. The subject annexe had a corrugated roof and original side and rear walls. The applicant seeks to renew these historic buildings and provide a spiritual and community led resource.
- It is considered that the development fully complies with the objectives of the Laragh Glendalough Tourism and Settlement Plan. It states that the development in particular is compliant with policy LG7 which promotes tourist development associated with retreats and spirituality. It is also compliant with Policy LG6 as the development is a reasonable approach to the renewal and reuse of the existing buildings.
- It is considered that policy HD25 of the County Plan does not relate to fire damaged buildings. Reference is made to section 193 of the 2000 Act.
- The applicant notes that the purpose of lodging two separate planning applications for the two mill structures was to enable each project to be realised at different times subject to appropriate funding. A detailed description of the function and use of the proposed rest centre under application reference

17/597 is provided. The applicant requests that in the event that this concurrent application is refused, a condition be attached by the Board to facilitate the provision of 2 car parking spaces to serve the development and to address its servicing requirements as per the Further Information response submitted under application reference 17/597 regarding the effluent treatment system.

- With regard to the provisions of Policy LG6, it is submitted that the Planning Authority's conclusion that the building is ruinous is incorrect and fails to acknowledge the heritage nature of the mill and its associated buildings. No consideration has been given to the fact that the buildings have only reached their current condition following an arson attack.
- Furthermore, the nature of the proposal in providing 2 retreat units is fully in accordance with Policy LG7. The development provides a unique and niche type use directly associated with the God's Cottage Prayer Centre and are not residential apartments. The applicants welcome a condition to control the future use of the units.
- In terms of parking, the applicant notes that car parking has been reduced to 6 no. spaces in the concurrent application and that it is proposed to utilise 2 of these spaces to serve the accommodation units. It is considered that the development will generate low traffic volumes with one or two trips per day, predominantly outside the main tourist season. The layout of the parking enables turning movements within the courtyard and that cars can enter and exit in forward gear. There is no basis to the contention of the Council that buses and service vehicles may enter the site. The reason for refusal by the Council has been made on the basis of the concurrent application. Each application must be considered on its own merits.
- A Flood Risk Assessment is submitted with the appeal response. As it is a tourist development, it is deemed to be a 'less vulnerable' development. The report concludes that the proposed alterations to the property would not have an adverse impact or impede access to a watercourse, floodplain or flood protection and management facilities.

6.2. **Planning Authority Response**

- No response submitted.

6.3. **Observations**

- No observations submitted.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development.
- Traffic and Parking.
- Flooding.
- Appropriate Assessment.

7.2 **Principle of Development**

7.2.1 The subject development comprises the reconstruction and redevelopment of an existing saw mill annexe building for use as tourist studio apartments. The apartments are linked to the God's Cottage Prayer Centre and it is detailed that the accommodation will provide a unique and niche offer for those seeking a spiritual retreat.

7.2.2 The building is one of two mill structures located within a walled courtyard in the grounds of the cottage. The main mill building directly abuts the annexe building and a concurrent application (Reg. Ref. 17/597) was made for the redevelopment of this building as a rest centre. It was detailed that this would be a facility for pilgrims and tourists who are visiting the attractions in Glendalough and would provide a sheltered place to eat packed lunches. This application has been withdrawn.

7.2.3 The two mill buildings were extensively damaged by fire in 2016 in an arson attack. It is detailed by the applicant that they are important historic structures that date back to the early half of the 18th century and are associated with the local mining industry.

It is stated that their redevelopment represents a significant planning gain. It is noted however, that as the concurrent application has now been withdrawn, the subject proposal must be considered in isolation.

7.2.4 The policies of the Laragh – Glendalough Tourism and Settlement Plan promote the development of Laragh as the principle focus for tourism related development. The subject site is located in an area that is designated as the Tourist Attraction Zone and it is detailed the Planning Authority will generally not permit the development of new tourist related developments in this area. The Plan, however, sets out a number of specific exceptions to this, and notes that this policy is not applicable to a development that involves the redevelopment or reuse of an existing building. Policy LG7 is also of note and states that the Council will promote tourist developments with a retreat and spirituality theme.

7.2.5 Concerns have been raised by the Planning Authority that this policy is not applicable to the subject site due to the extent of damage that has occurred to the existing building. It is considered to be ruinous and thus could not be considered to be the redevelopment of an existing building. It is the view of the Planning Authority that it should be considered as a new proposal.

7.2.6 I would consider this interpretation of the Development Plan policy to be overly rigid in this instance. Cognisance must be had of the overall setting and context of the subject site within a wider historic complex. Whilst the building has been extensively damaged by fire, large parts of the original structure remain intact and I would consider the redevelopment of this building to be desirable and appropriate from a planning perspective.

7.2.7 I am also satisfied that the proposal is compliant with Objective HD25 of the County Plan which relates to the reinstatement of non-residential buildings in that large parts of the original walls are intact, the building is of local historic interest, it is capable of conversion and the original appearance of the structure is substantially retained. It is also in accordance with Objective T7 of the County Plan which states that the Council will favourably consider tourism and recreation related development which involves the reinstatement and conservation of existing disused buildings.

7.2.7 I would also consider the proposed use of the building as a niche accommodation offering associated with the overall spiritual and retreat nature of the God's Cottage

Prayer Centre to be appropriate, particularly in light of the specific objectives under policy LG7. Having regard to the foregoing, I consider that the principle of the redevelopment of the subject saw mill annexe to tourist residential accommodation associated with the God's Cottage is acceptable in principle.

7.2.8 Notwithstanding this I do, however, have a number of reservations regarding the proposal. Whilst the development in its own right is acceptable in principle, I do not consider it appropriate to consider the development of the annexe in isolation from the remainder of the mill complex. The annexe structure is intrinsically linked to its wider context, including the main mill building and the walled courtyard. Whilst there were proposals to redevelop the remainder of the complex under a concurrent application Reg. Ref. 17/597, this application has now been withdrawn. I have concerns, therefore, that the development of part of the complex in isolation is somewhat piecemeal and does not form part of a coherent strategy or plan to redevelop the site in its entirety. It is feasible that the two studio units could be developed in the absence of any permission for the main mill building and courtyard and this is not considered appropriate from a planning perspective.

7.2.9 It is also noted that the annexe planning application was intrinsically linked to the concurrent application in terms of car parking and servicing proposals. Whilst a site characterisation form was submitted with the subject application for the annexe building, the proposed effluent treatment system was not included in the development description in the public notices. This part of the development formed part of the concurrent application Reg. Ref. 17/597.

7.2.10 It is noted that Further Information was submitted with respect to the proposed effluent treatment system under Reg. Ref. 17/597. Concerns had been raised by the Planning Authority that the new effluent management and disposal system was proposed in an area of existing mature trees which make a significant contribution to the character and scenic qualities of the area and that it would thus compromise the integrity of these trees. The applicant responded and stated that the route of the waste disposal solution was redirected to address this concern. A revised site characterisation form was also submitted with a revised specification of the treatment system to cater for a larger pe for the proposed rest centre and guest accommodation. It is noted that the Planning Authority still had some concerns

regarding the impact of the waste treatment system on these mature trees notwithstanding the information submitted.

7.2.11 It has been suggested by the applicant that the Board attach a condition to address the servicing of the development as per the Further Information response to this concurrent application. However, as this application has been withdrawn, it is my view that it has no planning status. If the Board were minded to grant permission, the applicant could be requested to submit revised public notices and details of the proposed effluent treatment system to serve the subject proposal. However, having regard to my wider concerns regarding the lack of a coherent development approach to the site in its entirety, I would not recommend that section 132 be invoked in this instance.

7.2.12 I also have concerns regarding lack of clarity for the development of the walled courtyard. This is an important feature of the overall context and contributes to the setting and character of the saw mill structures. Whilst originally it was proposed to develop much of the courtyard as a parking area to serve the rest centre, with 2 spaces for the proposed apartments, as this concurrent application has now been withdrawn, there is again no development strategy for this element of this historic complex.

7.2.13 In conclusion, I am satisfied that the development in its own right is appropriate and would provide a niche accommodation offer in a redeveloped historic structure. However, having regard to the lack of a coherent development strategy for the overall complex, including the main mill building and the lack of clarity regarding servicing, car parking and hard and soft landscaping, the development is considered to be piecemeal approach to the sustainable development of the site.

7.3 Traffic and Parking

7.3.1 The second reason for refusal in the decision of the Planning Authority related to traffic impacts. Concerns were raised that the provision of 7 car parking spaces would result in congestion on the public road and result in a traffic hazard.

7.3.2 As noted above, the subject application does not include any car parking provision. 7 car parking spaces were proposed in the concurrent application 17/597 (reduced to 6 at Further Information stage), and it was detailed that 2 of these would be allocated

to the tourism accommodation units. It has been requested by the applicant, that 2 car parking spaces could be conditioned in respect of the development.

7.3.3 I would concur with the contention of the applicant that the Planning Authority in this instance have considered the potential traffic impacts of the development in the context of the concurrent application and that each application should be considered on its own merits. It is not considered that 2 no. car parking spaces would cause undue congestion on the public road and the development having regard to its limited scale, is likely to only generate small volumes of traffic. I am satisfied that the development in its own right would not result in a traffic hazard or endanger pedestrian safety.

7.4 Flooding

7.4.1 Concerns have been raised by the Planning Authority that the subject site is located in an area of flooding risk and thus would be contrary to the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009.

7.4.2 A Strategic Flood Risk Assessment was undertaken as part of the Wicklow County Development Plan 2016-2022. Section 3 of the SFRA states that applications for significant alterations/extensions to existing development in a flood risk area shall require a flood risk assessment to ensure that the development itself is not at risk of flooding or does not increase the flood risk in the catchment area.

7.4.3 Settlement specific flood risk objectives are set out with respect to Laragh and Glendalough and it is stated that the types of development permitted in Flood Zone A and Flood Zone B should be restricted to the types of development that are appropriate to each flood zone as per table 3.2 of the Guidelines. If a development is vulnerable to flooding and would generally be inappropriate as set out in table 3.2 of the Guidelines, the Planning Authority must be satisfied that all of the criteria set out in the justification test as it applies to development management (Box 5.1 of the Guidelines) are complied with.

7.4.4 It is also stated that the Planning Authority must be satisfied that the development is required to achieve the proper planning and sustainable development of the area and must comply with one of a number of criteria including that the development comprises previously developed and/or underutilised lands/sites.

- 7.4.5 An Indicative Flood Zone Map has been prepared as part of the Laragh - Glendalough Settlement and Tourism Plan. This indicates that part of the subject lands are located in Flood Zone A and Flood Zone B. As per Table 3.1 of the Flood Risk Management Guidelines which classifies the vulnerability of different types of development, land and buildings used for holiday purposes are less vulnerable development subject to specific warning and evacuation plans. The proposed development comprises short term tourist accommodation. Such development is considered appropriate in Flood Zone B.
- 7.4.6 A site specific flood risk assessment for the property has also been prepared and submitted with the appeal document. This notes that the development will have a finished floor level that is below the predicted water level for a 1 in 100 year fluvial event and in this regard, the building can be affected by flooding. Flood mitigation measures such as demountable flood barriers at all doorways and removable air vent covers to mitigate risk of flooding are proposed.
- 7.4.7 The report notes that OPW flood data for this location is not sufficiently precise to provide a representation of the actual 1:100 fluvial flood events i.e. the extent of Flood Zone A. It notes that the site is more likely at moderate risk of flooding due to its topography, its location within the fluvial corridor and the fact that there is no recorded history of flooding.
- 7.4.8 It is apparent from a review of the Site Specific Flood Risk Assessment that there is some uncertainty as to the exact extent of the flood risk zone A and B as it effects the subject site. Notwithstanding this, the subject development comprises a less vulnerable development as defined in the guidelines. This category of development is deemed appropriate in Flood Zone B. With regard to Flood Zone A, having regard to the guidance set out in the Strategic Flood Risk Assessment undertaken as part of the County Plan, it is noted that the development comprises the redevelopment and change of use of a previously developed site.
- 7.4.9 Cognisance must also be had of section 5.28 of the Flood Risk Management Guidelines which states that applications for change of use of existing buildings are unlikely to raise a significant flooding issues and that since such applications concern existing buildings, the sequential approach cannot be used to locate them in lower risk areas and the justification test will not apply.

7.4.10 In conclusion, having regard to the fact that the proposed development is for short term tourist accommodation and is thus classified as a less vulnerable development; the fact that the development comprises the redevelopment of an existing site and is not an undeveloped greenfield site; as well as the flood mitigation measures proposed by the applicant, I am satisfied that a reason for refusal based on flood risk is not warranted in this instance.

7.5 Appropriate Assessment

7.5.1 The subject site is located within 250 metres of the Wicklow Mountains SAC (site code 002122) and within c. 400 metres of the Wicklow Mountains SPA (site code 004040).

7.5.2 The Wicklow Mountains SPA is an extensive upland site, comprising a substantial part of the Wicklow Mountains. It is of special conservation interest to the Merlin and Peregrine species. The main conservation objective of the SPA is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

7.5.3 The Wicklow Mountains SAC is a complex of upland area in Counties Wicklow and Dublin, flanked by the Blessington reservoir to the west and Vartry reservoir in the east, Cruagh Mountain in the north and Lybagh Mountain in the south. The qualifying interests of the site relates to its unique habitat and also due to the presence of the otter species. There are a number of conservation objectives including:

- To maintain the favourable conservation condition of Oligotrophic waters and natural dystrophic lakes and ponds;
- To restore the favourable conservation condition of Northern Atlantic wet heaths with *Erica tetralix*;
- To restore the favourable conservation condition of European dry heaths and Alpine and Boreal heaths in Wicklow;
- To maintain the favourable conservation condition of Calaminarian grasslands of the *Violetalia calaminariae*;
- To restore the favourable conservation condition of Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe);

- To restore the favourable conservation condition of Blanket bogs and Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*);
- To restore the favourable conservation condition of Calcareous rocky slopes and Siliceous rocky slopes with chasmophytic vegetation;
- To restore the favourable conservation condition of Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles;
- To maintain the favourable conservation condition of Otter.

7.4.2 Having regard to the proximity of these Natura 2000 sites, it is considered necessary to carry out an Appropriate Assessment Screening exercise as part of this assessment. A screening assessment undertaken by the Planning Authority confirmed that it is unlikely that the development would have a significant detrimental impact on the integrity of the Nature 2000 site.

7.4.3 The development itself is modest in scale with an area of c. 60 sq. metres. It comprises the reconstruction of an existing building for tourism accommodation. The subject site is within the existing grounds of the God's Cottage Prayer Centre. There are substantial lands around the cottage and saw mill complex which create a buffer between the site and the SAC's. Having regard to the location and scale of the development and its separation from the Natura 2000 sites, I am satisfied that the development will have no direct impacts on the conservation objectives of either of these two sites.

7.4.4 With regard to indirect affects, the source pathway receptor model must be considered to determine whether there is any potential link between the subject site and the SAC's. In this regard, it is noted that the River Glandassan immediately abuts the north eastern boundary of the site. The river flows westwards directly into the SAC and SPA.

7.4.5 Whilst the small scale nature of the development is noted, the applicant has not provided any detail of proposed construction management practices intended to minimise any potential run off of silt or pollutants during the construction process to the adjacent river. Furthermore, as noted above there is no clarity as to the location and extent of the proposed waste water treatment system that is intended to serve the development. There is a paucity of adequate and relevant information to enable

an appropriate assessment screening to be carried out. I am not satisfied, therefore, that there is sufficient information to determine whether the proposed development would have a significant effect on the conservation objectives of the Wicklow Mountains SAC and in particular those which relate to the water based conservation objectives and most notably the protection of the otter species.

7.4.6 On the basis of the information provided with the application and appeal I am not satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European site No. 002122, or any other European site, in view of the site's Conservation Objectives. Whilst the Board could request further information regarding the proposed effluent treatment and construction management measures to enable the carrying out of a screening exercise, having regard to the substantive reason for refusal set out below, I would not recommend that section 132 be invoked in this instance.

8.0 Recommendation

8.1 It is recommended that permission be refused permission for the reason set out below.

9.0 Reason

1. The proposed development comprises the partial redevelopment and change of use of a saw mill annexe building which forms part of a larger historic complex including a walled courtyard and main saw mill building. It is considered that in the absence of an overall layout plan and development strategy for these adjacent lands and structure (which would determine the need for the co-ordinated provision of an effluent treatment system, car parking and hard and soft landscaping proposals), the proposed development would represent a piecemeal approach to the sustainable development of the site. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

Erika Casey
Senior Planning Inspector

19th December 2017