

An  
Coimisiún  
Pleanála

# Specialist Report to Inspector ABP-322363-25

## Development

Installation of additional underground effluent storage and construction of a new plant and storage building together with all associated site works, Co. Wicklow.

## Location

Kippure Lodge & Holiday Village,  
Kippure Estate, Manor Kilbride,  
Blessington, Co. Wicklow.

## Planning Authority

Wicklow County Council

## Planning Authority Reg. Ref.

25/60075

## Applicant(s)

Seefin Events Unlimited Company,  
Kippure Estate, Manor Kilbride,  
Blessington, Co. Wicklow

## Type of Application

Normal Planning Appeal

## Inspector

Senior Planning Inspector

## Ecologist

Senior Ecologist

## Topic

Specialist AA support required

## Report No

R322363\_App 2

## Date

17<sup>th</sup> October 2025

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## **1.0 Introduction**

### **1.1. Background**

- 1.1.1. The subject application, (which forms part of the overall estate), is for permission to extend the existing waste water treatment plant (WWTP) and provide additional percolation area and plant room, to serve existing accommodation currently operated by the International Protection Accommodation Service (IPAS).
- 1.1.2. The appeal site does not include the part of the site which accommodates the IPAS accommodation. An application for retention of accommodation and associated works currently operated by IPAS under Reg. Ref. 24/60587 was refused by the Planning Authority (PA) on 18/11/2024. This PA decision is currently on appeal by the First Party under ABP-321463-24 and awaits a decision.
- 1.2. A concurrent Section 5 Referral RL27.320327 relating to various buildings and uses including the accommodation of protected persons; was lodged with the Commission (ABP-320327-24) on 31/07/2024 and awaits a decision.
- 1.2.1. A concurrent Waste Discharge Licence application (under section 4 of the Local Government (Water Pollution) Act 1977 and Regulations 1978 as amended) PA Ref. L02-24 was refused by the PA. This PA decision is currently under appeal by the First Party WW27.322055 and was lodged with the Commission (ABP 322055-25) on 11/03/2025 and awaits a decision.
- 1.2.2. All four cases are travelling together so that they can be decided on concurrently by the Commission. The assessment of these cases in tandem ensures that the cumulative and in-combination impacts of each case, within their respective red line boundary are given due consideration.

### **1.3. AA Refusal grounds**

- 1.3.1. Permission for the subject application (ABP 322363) was refused for three reasons including No 3 which relates to Appropriate Assessment as follows: *“The submitted Screening for AA document, and the Screening for EIA document, have failed to assess the in-combination impacts of the proposed development and the existing operations/development/future tourism development at Kippure Village, which are functionally interdependent. In addition, inadequate examination has been carried*

*out in respect to the Ammonia discharge on the assimilative capacity of the groundwater, and potential impacts on the River Liffey. The River Liffey forms part of the Wicklow Mountains SAC, bounds the Wicklow Mountains SPA, and is linked to the Poulaphouca Reservoir SPA, which is also a major source of public water. In the absence of this information, the Planning Authority cannot be satisfied beyond reasonable scientific doubt, that the proposed development would not have significant effects on Natura 2000 sites. Therefore, it is considered that Appropriate Assessment and Environmental Impact Assessment of the proposed development is required. Furthermore, it cannot be confirmed that the development would not increase the likelihood of contaminants reaching the Poulaphouca Reservoir water source, through malfunction, lack of maintenance or otherwise. To permit the proposed development would, therefore, be prejudicial to public health, would be contrary to the Habitats Directive, to the EIA Directive, to the Objectives of the County Development Plan 2022-2028, and to proper planning and sustainable development.”*

#### **1.4. Scope of Specialist Ecology report to Inspector**

Following review of the AA Screening report submitted with this application, the refusal reasons, the Planning Authority (Wicklow County Council WCC) planning report and the observations/submissions received, specialist ecological support is requested regarding impacts on European sites from the proposed development and having regard to the three other concurrent cases to ensure that the in-combination impacts of each case, within their respective red line boundary are given due consideration.

This report to the Planning Inspector and which is available to the Commission is a written record of my review and examination of the submitted information and will support the assessment regarding impacts on European sites.

#### **1.5. Documentation**

As part of the preparation of this specialist report, I have read all the documentation attached to this case relating to ecology/AA matters including inter alia, details of the proposed development, AA Screening report, drawings and site layout plans, and all associated documentation prepared by the Applicant, observations received by the Commission and Planning Authority and the reports of the Planning Authority. I have

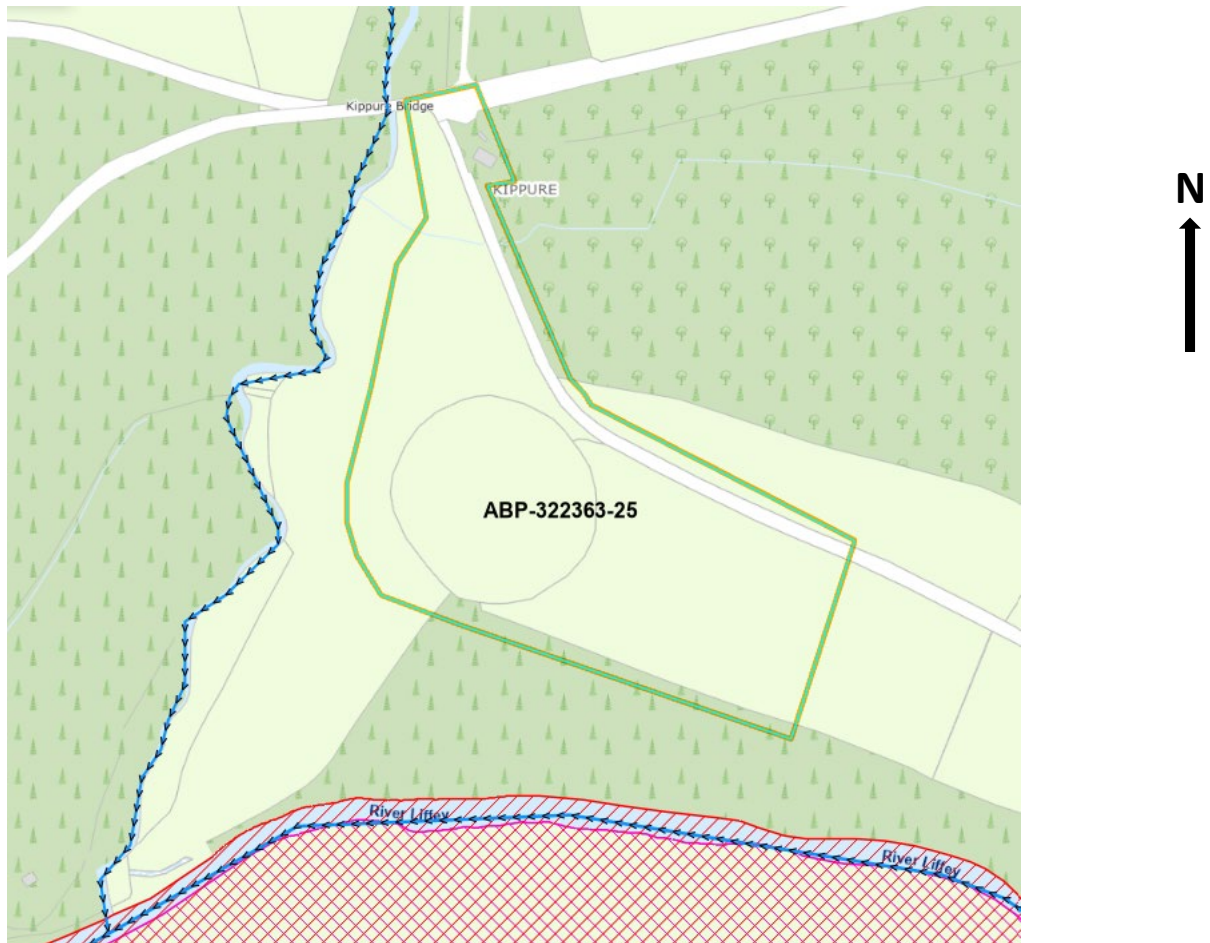
reviewed the conservation objectives documents and supporting documentation of the relevant European sites. I also reviewed the National Biodiversity Data Centre database regarding protected species locations. I have reviewed files of the other concurrent applications: Section 5 Referral RL27.320327 (ABP-320327-24), the Waste Discharge Licence application (ABP 322055-25) and the application for retention of accommodation and associated works currently operated by IPAS (ABP-321463-24). I have also reviewed the Commissions in-house Environmental Scientist report on ABP-322363.

## **2.0 Issues examined and suggestions for consideration by the Commission**

### **2.1. Site Location and Proposed Development**

- 2.1.1. The proposed development comprises the installation of additional underground effluent storage and construction of a new plant and storage building together with all associated site works. The proposed development will be located immediately adjacent to the existing WWTP. The existing WWTP discharges to a soil polishing filter following secondary treatment. A new percolation area will be located to the west of the WWTP. Treated effluent will be discharged to ground via the new polishing filter/percolation area. There will be no direct discharges to any watercourses.
- 2.1.2. The closest surface watercourse to the site is the Athdown Brook, which flows from north to south beyond the western boundary of the site. It drains into the River Liffey at the southwestern corner of the site. The River Liffey flows from east to west beyond the southern boundary of the site. See Figure 1 below.
- 2.1.3. This site is at an elevation of approx. 295-280mAOD and slopes north to south away from the access route, and the area of the existing WWTP system towards the River Liffey. The site area comprises a grassed area, an excavated area, gravel and associated access chambers/pipes etc.
- 2.1.4. A Stage 1 AA Screening Report was submitted to the PA with the application and accompanied the First Party appeal. This report was prepared by ESC Environmental Ltd.

- 2.1.5. According to the Stage 1 AA Screening Report, the site is currently covered with buildings (BL3) and Improved Amenity Grassland (GA2) as defined according to Fossit (2000).
- 2.1.6. Standard design features, which have mitigating effects on European sites have been incorporated into the proposed development which is acceptable.



**Figure 1** – Proposed development site (green line). Athdown brook is located to the west. The River Liffey (which forms the boundary of the Wicklow Mountains SAC) is located to the south of the proposed development. Wicklow Mountains SPA located just south of the River Liffey. Not to scale

## 2.2. European sites

- 2.2.1. I consider that the following European sites are of relevance in relation to the location and nature of the proposed development site:

- The Wicklow Mountains Special Area of Conservation (SAC) (Site Code 002122), and Wicklow Mountains Special Protection Area (SPA) (Site Code 004040) are located c. 100m south of the proposed WWTP footprint. The section of River Liffey located to the south of the proposed development forms part of the SAC. Groundwater flows south towards the river Liffey. The Wicklow Mountains SPA is located to the south of the River Liffey
- The Poulaphouca Reservoir SPA (Site Code: 004063), is approximately 7.8km (as the crow flies) southwest of the proposed development site and is hydrologically connected to the proposed development site via the Liffey river.

### **2.3. Commissions in-house Environmental Scientist review of WWTP application**

- 2.3.1. I have reviewed the Commissions in-house Environmental Scientist report (ABP-322363-25) on the proposed WWTP application.
- 2.3.2. In relation to surface water quality impacts from the existing operations to date at Kippure on the receiving waters of the Liffey river, the Commissions in-house Environmental Scientist undertook a review of water quality monitoring data for the Liffey river between 2017 to 2024 (inclusive). The Commissions in-house Environmental Scientist report concludes that *“having regard to the available water quality for the river Liffey and control sites, the overall conclusion of my assessment is that the water quality in the river Liffey directly downstream of the Kippure site is of a high standard and displays no evidence of having been impacted negatively by the presence of the existing wastewater treatment system”*.
- 2.3.3. In relation to groundwater discharges from the proposed WWTP development, the Commissions in-house Environmental Scientist report states *“having overall regard to the Tier 3 Hydrogeological Assessment, I am satisfied that the investigations and report prepared in accordance with the guidance provided by the EPA for managing discharges to groundwaters. The report has demonstrated that the installation of the wastewater treatment system and soil polishing filter will not have a significant impact on groundwater quality”*.
- 2.3.4. The Commissions in-house Environmental Scientist report concludes his report on the proposed WWTP application recommending that *“the development be granted*

*permission on the grounds that compliance with the objectives of Article 4(1) of the Water Framework Directive have been demonstrated”.*

## **2.4. Assessment**

- 2.4.1. Based on my review of the documentation, the following potential effects on qualifying interests/species need to be considered, having regard to their conservation objectives:

*Otter (qualifying interest (QI) species of Wicklow Mountains SAC):*

- Potential historic water quality impacts on adjacent watercourses due to the discharges from the existing WWTP. Otter rely on fish biomass in their diet. Water quality impacts on fish could potentially have impacted on availability of food for otter.
- Potential future water quality impacts on adjacent watercourses due to groundwater discharges from the future upgraded WWTP. Groundwater flows towards the Liffey. Otter rely on fish biomass in their diet. Water quality impacts on fish in the Liffey could potentially impact on availability of food for otter.

*Greylag goose and lesser black backed gull (special conservation interest (SCI) species of Poulaphouca Reservoir SPA).*

- Potential historic water quality impacts on adjacent watercourses due to the discharges from the existing WWTP. The Liffey is hydrologically connected to the Poulaphouca Reservoir SPA. Both the greylag goose and lesser black backed gull use aquatic habitat for foraging. Historic water quality impacts on aquatic habitat could potentially have impacted on availability of food for these SPA species.
- Potential future water quality impacts on adjacent watercourses due to groundwater discharges from the future upgraded WWTP. Groundwater flows towards the Liffey. Water quality impacts on aquatic habitat could potentially impact on availability of food for these SPA species.



### *Discussion on Water Quality Impacts*

- 2.4.2. As noted in Section 2.3 above, I have reviewed the Commissions in-house Environmental Scientist report on the proposed WWTP. On the basis of that report, I am satisfied that discharges from the existing WWTP have not had significant water quality impacts to date on the receiving waters of the Liffey river and further downstream at Poulaphuca Reservoir. Furthermore, I am satisfied that that future groundwater discharges from the future upgraded WWTP will not have significant water quality impacts on the receiving waters of the Liffey river and downstream of the Liffey at Poulaphuca Reservoir.
- 2.4.3. Therefore, historic and future water quality impacts on otter (QI species of Wicklow Mountains SAC) and Greylag goose and lesser black backed gull (SCI species of Poulaphouca Reservoir SPA) from the proposed WWTP development can be ruled out.

### *Discussion on other effects which can be ruled out for Wicklow Mountains SAC*

- 2.4.4. I refer the Commission to the proposed site layout plan of the wastewater treatment system. The southern proposed development site boundary is c.50m from the Wicklow Mountains SAC at its closest point, however the proposed development itself is located c. 102m from the SAC. Given the location, nature and current use of the existing site (existing WWTP on grassed area, excavated area, gravel and associated access chambers/pipes), I consider that the proposed development does not provide significant ex-situ habitat for terrestrial mobile QI species for this SAC (Otter).
- 2.4.5. Otter may use Athdown brook to the west or the Liffey river to the south of the proposed development. However, given the current use of the existing site, given the nature and duration of the proposed works during construction of the WWTP upgrade and the distance (c. 102m to Liffey, c.95m to Athdown brook), I consider that significant disturbance effects on otter due to construction activities can be excluded. Disturbance effects on otter when the WWTP is in operation will not arise.
- 2.4.6. Thus, the proposed development will have no impact on the availability of food, the extent of the terrestrial habitat, the extent of the freshwater habitats, the couching sites and holts or impact on the connectivity of the habitat available to otters.

- 2.4.7. None of the QI habitats of Wicklow Mountains SAC would be directly or indirectly impacted due to the nature and the distance of the proposed development to the locations of these QI habitats.
- 2.4.8. In considering the potential for significant effects on the Wicklow Mountains SAC, based on objective information provided, I am satisfied the proposed development will not result in impacts of such magnitude that could undermine the conservation objectives set for this site. It is my view, that likely significant effects on the Wicklow Mountains SAC can be ruled out beyond reasonable scientific doubt, having regard to the qualifying interest habitats and species of this SAC and its conservation objectives.

*Discussion on other effects which can be ruled out for Poulaphuca Reservoir SPA*

- 2.4.9. Given the location, nature and current use of the existing site (existing WWTP on grassed area, excavated area, gravel and associated access chambers/pipes), I consider that the proposed development site does not provide significant ex-situ habitat for SCI species for this SPA (Greylag goose and lesser black-backed gull).
- 2.4.10. It is my view that likely significant effects from the proposed development on the Poulaphuca Reservoir SPA can be ruled out beyond reasonable scientific doubt.

*Discussion on Wicklow Mountains SPA*

- 2.4.11. I refer the Commission to the proposed site layout plan of the wastewater treatment system. The southern proposed development site boundary is c.64m from the Wicklow Mountains SPA, however the proposed development itself is located c. 110m from the SPA. Given the location, nature and current use of the existing site (existing WWTP on grassed area, excavated area, gravel and associated access chambers/pipes), I consider that the proposed development site does not provide significant ex-situ habitat for SCI species for this SPA (Merlin and Peregrine).
- 2.4.12. Given the nature of the proposed works during construction and operation and the distance (c. 110m) between the proposed works and the Wicklow Mountains SPA, I consider that significant disturbance effects can be excluded. Merlin in the Wicklow Mountains are usually found nesting in old crows' nests in conifer plantations or in

copses and shelter belts. The open peatlands of the Wicklow Mountains provide excellent foraging habitat for Merlin. The proposed development will not impact on the nearby conifer plantations, copses/shelter belts, or the open peatlands important to this species. Peregrine use this SPA as a breeding area. The main potential for impact on the species is due to disturbance of the crags and cliffs the species uses for nesting. The proposed development will have no impact on these habitats.

2.4.13. Whilst I note that Wicklow Mountains SPA is located to the south of the River Liffey and the Liffey is connected to the proposed development site, this SPA does not have a qualifying interest for wetland habitats.

2.4.14. In considering the potential for significant effects on the Wicklow Mountains SPA, based on objective information provided I am satisfied the proposed development will not result in impacts of such magnitude that could undermine the conservation objectives set for this site. The development will not result in impacts that could affect conservation objectives related to population trends, productivity rates, cause disturbance, impacts on their spatial distribution, forage distribution and abundance or nesting habitat. The SPA is not designated for wetland habitats.

2.4.15. It is my view, that likely significant effects on the Wicklow Mountains SPA can be ruled out beyond reasonable scientific doubt, having regard to the qualifying interest species of this SPA and its conservation objectives.

#### *Discussion on in-combination effects*

2.4.16. I have considered whether the proposed WWTP development in-combination with other plans and projects could have a likely significant effect on a European site(s). In particular, I have considered whether likely significant effects could arise in-combination with the concurrent Section 5 Referral RL27.320327 (ABP-320327-24), the concurrent Waste Discharge Licence application (ABP 322055-25) and the concurrent application for retention of accommodation and associated works currently operated by IPAS (ABP-321463-24). The only impacts relevant to European sites which have been identified for this WWTP proposed development are as follows:

- Potential disturbance to otter during the future construction of the WWTP. Likely significant disturbance effects in the future on otter from the proposed WWTP development alone have been ruled out. Likely significant disturbance effects on otter for IPAS (ABP-321463-24) were not ruled out, due to lack of information in the application documentation, however these were for construction works which already took place. Thus, cumulative (additive) effects will not arise.
- Historic water quality effects on otter, greylag goose and black backed gull. The Commissions in-house Environmental Scientist has considered historic water quality effects from the overall Kippure site as a whole (i.e all projects cumulatively) and likely significant effects have been excluded.
- Future water quality effects on otter, greylag goose and black backed gull. The Commissions in-house Environmental Scientist concluded that that impacts on groundwaters from the future WWTP discharge are likely to be negligible and are considered acceptable. Thus, likely significant water quality effects from the proposed WWTP development alone will not arise. Likely significant effects on otter, greylag goose and black backed gull were not ruled out for IPAS (ABP-321463-24) alone, due to lack of information in the application documentation on the proposed surface water drainage network. I do not consider that cumulative (additive) effects from the proposed development, in combination with ABP-321463-24 will arise given that the proposed WWTP will comply with the Water Framework Directive.

## 3.0 Conclusion

3.1.1. Having considered the nature, scale and location of the proposed development, I am satisfied that likely significant effects on European sites can be ruled out beyond reasonable scientific doubt. My view is based on:

- Scale and nature of the WWTP development
- Distance from European sites
- Likelihood of indirect connections to the European sites
- Information provided in the AA Screening report

- Information provided in the Commissions in-house Environmental Scientist report (ABP-322363-25).

3.1.2. It is my view that, on the basis of objective information, that likely significant effects on any European Site from the proposed WWTP development either alone or in combination with other plans or projects can be excluded beyond reasonable scientific doubt. Therefore, Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

Senior Ecologist Inspector BSc, MSc, MISEP CEnv

17<sup>th</sup> October 2025