File	With	

LARGE RESIDENTIAL DEVELOPMENT CORRESPONDENCE FORM

CORRESP	ONDENCE FORM			
Appeal No: ABP_322479-25				
Please treat correspondence received on 15 125 Cbg email as follows:				
	as follows:			
Update database with new agent for Applicant/Appellant				
2. Acknowledge with LRD 23	1. RETURN TO SENDER with LRD			
3. Keep copy of Board's Letter	2. Keep Envelope:			
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Amendments/Comments				
RESPONSE to ARE 73CA	& FROM BallyHore			
Eustace TSAA.				
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(a) SHD/LRD Unit				
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Ronan Megannety

Catherine

From:

communications

Sent:

Tuesday 15 July 2025 10:30

To:

Appeals2

Subject:

FW: An Bord Pleanála Ref 322479-25

Attachments:

TSAA Submission to An Coimisiun Pleanál LRD ACP Ref 322479-25.docx; Appendix

1 Abstraction Monitoring KCC Response 2020.pdf; Appendix 2 KCC response

Spillway Monitoring Report Q4 2024.pdf

From: Thomas Deegan < thosdeegan@gmail.com>

Sent: Tuesday, July 15, 2025 9:31 AM

To: communications < communications@pleanala.ie>

Subject: An Bord Pleanála Ref 322479-25

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir/Madam

Please find attached submission and appendices from Ballymore Eustace Trout and Salmon Anglers' Association in respect of Large Scale Residential Development of 329 units at Blessington Co. Wicklow and the submission received from MacCabe Durney Barnes dated 19th June 2025.

Kind Regards, Thomas Deegan Hon. Sec. Ballymore Eustace TSAA

Ballymore Eustace Trout and Salmon Anglers' Association,

An Coimisi Pleanála 64 Marlborough Street Dublin 1 Broadleas,
Ballymore Eustace,
Co Kildare
15th July 2025

Re: Large Scale Residential Development consisting of 329 units. ABP -322479-25

Dear Sir/Madam,

Thank you for your correspondence dated 1st July 2025 and enclosures dated 19th June 2025 from McCabe Durney Barnes re; Large Scale Residential Development for 329 residential units Wicklow County Council Reg. Ref. 319657-24
An Bord Pleanála Ref. 322479-25 (Reactivated Case – Old Ref. 319657-24)

Our previous appeal correspondence also refers.

I wish to make the following submission in response to correspondence dated 19th June 2025 from McCabe Durney Barnes acting on behalf of Cairn Homes Properties Limited.

Bessington LAP

Services & Infrastructure

Water supply is currently provided to most areas of Blessington primarily by the Poulaphouca Reservoir via the Ballymore Eustace Water Treatment Plant. In the 2000s the water supply to the town was improved with the construction of two reservoirs in Glen Ding Forest and the laying of piping to connect, in the vicinity of Eadestown, to the main 1600mm trunk from Ballymore Eustace. Consultation with Uisce Éireann has indicated that there is water supply capacity available over the plan period, based on the Wicklow County Development Plan population targets.

Ballymore Eustace Water Treatment Plant is currently non compliant with three different Kildare County Council and An Bord Pleanála planning conditions. Therefore, Uisce Éireann are not in a position to tell anybody proposing to construct houses dependent on the Ballymore Eustace Water Treatment Plant "that there is water supply capacity available over the plan period based on the Wicklow County Development Plan population targets" unless Uisce Éireann are going to continue to ignore and not comply with Kildare County Council and an Bord Pleanála planning conditions.

Ballymore Eustace Water Treatment Plant (WTP) is the largest WTP in the country, abstracting a massive 40% of the annual flow of the Liffey at Poulaphouca.

This volume of abstraction from the Liffey is only possible because of Poulaphouca Reservoir, where water is held back mainly for drinking water supply and some hydro electricity generation. This results in an almost constant minimum flow to the Liffey downstream during the dry Spring/Summer/Autumn months for public health, pollution assimilation, habitat and biodiversity protection etc.

Kildare County Council Planning Ref. 86/1310 was for "Retention of Existing 1600Mm Diameter Raw Water Intake to Water Treatment Works" (Dublin Corporation constructed the 1600mm diameter intake without planning permission having considered themselves an exempted developer. They were informed by Kildare County Council at a Bord Pleanála oral hearing that they were not an exempted developer and had to apply for retention.)

Planning Permission 86/1310 Condition 2 states "Abstraction levels from the River Liffey through the proposed intake and through all other intakes shall not together exceed 70 million gallons per day" Condition 3 states "Monitoring arrangements shall be entered into between the applicants and Planning Authority to allow the latter to satisfy itself on a regular basis that the abstraction levels specified in condition 2 are not being exceeded."

Most of the water abstracted from Poulaphouca is not returned to the Liffey until it reaches Dublin Bay so it is not available for public health, pollution assimilation, recreational amenity, biodiversity and habitat protection etc along the middle Liffey.

With the maximum abstraction limit of 70mgd (318mld) set by a Kildare County Council planning condition, a plan was drawn up in 1996 to abstract 2% of the water from the River Shannon at Parteen Basin, treat it at a Water Treatment Plant at Birdhill Co. Tipperary and pipe it to Dublin.

Almost 30 years later this is still the plan. It has been agreed by the Government, and Uisce Éireann expects to submit a planning application at the end of this year. Meanwhile the Liffey is overexploited by non compliance with planning conditions. The public health, recreational amenity of residents in the towns and villages and the legitimate needs of all other Liffey users in Co. Kildare downstream of Poulaphouca cannot be set aside so that Blessington in County Wicklow can expand without the proper infrastructure being in place. By granting planning permission for the proposed Large Scale Development at Blessington, would An Coimisiún Pleanála be complicit with the non compliances by Uisce Éireann?

KCC Planning Ref 00/2270, ABP Ref PL.09. 124046 was for "Extension of Liffey Works Ballymore Eustace"

Planning Permission Condition 4 A) "Abstraction Levels from the River Liffey shall not exceed 70MGD" "B) Monitoring arrangements shall be entered into between the applicant and the Planning Authority to allow the latter to satisfy itself on a regular basis that the abstraction levels are not being exceeded. Reason: In the interest of proper planning and development of the area"

In July 2020 Kildare County Council informed Dublin City Council/Uisce Éireann that they were non compliant with their abstraction licence limit of 318mld (Planning Ref 86/1310 and 00/2270) (See appendix 1 Abstraction monitoring KCC response). Since then no water abstraction monitoring reports have appeared on KCC planning website, a non compliance in itself.

Dublin City Council's planning application to Kildare County Council Ref. No. 08520 ABP Ref Pl.09. 229575 "Construction of a new Sludge Treatment Plant, construction of 1no. Sludge Treatment Building, 3 no. thickened sludge storage tanks, 1no. dried sludge storage silo and associated site infrastructure at Water Treatment Plant, Bishopsland, Ballymore Eustace"

Condition 8. (a) Comprehensive monitoring arrangements relating to the volume and quality of the treated filtrate and supernatant wastewater discharges to the River Liffey shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. In this regard, the process wastewater shall be treated to ensure compliance with the parameter limits which shall be specified by the planning authority having regard to the River Liffey Catchment Management Plan under the Water Framework Directive.

- (b) The agreed monitoring regime shall provide for sampling, at regular, specified, intervals of the following:
- (i) Supernatant from the sludge thickening tanks.
- (ii) Spillway contents, including the combined filtrate, supernatant, washwater and surface water from the plant, prior to discharge.
- (iii) Water in the Golden Falls Reservoir, upstream of the spillway discharge from the plant.
- (iv) Water in the River Liffey, downstream of the spillway discharge from the plant.

(c) The physico/chemical parameters to be monitored shall include the following: Colour, Turbidity, Aluminium, Suspended Solids and PH.

(d) The data __nerated from this sampling/monitoring regime shall be forwarded to the planning authority at regular, specified, intervals and shall be made available for public inspection.

Reason: In order to protect the quality of the water in the River Liffey in the interest of public health and recreational amenity, including angling."

Uisce Éireann is non compliant with Kildare County Council Ref. No. 08520 ABP Ref Pl.09. 229575 Condition 8, primarily because the daily maximum Spillway discharge to the Liffey on which the emission limit values were based is seriously underestimated.

Since March 2023 Kildare County Council has been requesting Dublin City Council/Uisce Éireann to "submit reasons as to why the above non compliances have occurred and what measures are being put in place to rectify this non compliance." (See appendix 2, KCC response Spillway monitoring) So far this request has been unanswered.

Blessington LAP

Wastewater

Uisce Éireann has recently completed upgrades to the Blessington Waste Water Treatment Plant (WWTP) that have significantly increased the capacity of the plant. Due to these upgrades, there is sufficient capacity for the growth envisioned for Blessington in the core strategy as set out in the Wicklow County Development Plan 2022-2028. This plan will support any further required upgrades to Blessington WWTP, or indeed the development of additional WWTPs, subject to the full range of environmental protections necessary in relation to the Poulaphouca Reservoir and associated watercourses.

In 1985 Wicklow County Council constructed a new 3000 P.E. Sewage Treatment Plant (WWTP) in Blessington Co. Wicklow with an effluent discharge location in Golden Falls Lake, Co Kildare, and downstream of the 40% of the Liffey flow abstraction point and where a constant minimum dilution of the effluent is not available due to ESB operations at Poulaphouca Dam and Hydro Station. In the year 2000 the EPA described Golden Falls Lake as Hypertrophic i.e. a high level of pollution and a high level of impairment of use of the Lake. The WWTP was upgraded to 6000 P.E. in 2009.

In 2012 the EPA granted Wicklow County Council a Waste Water Discharge Licence (WWDL) D0063-01 for the Blessington WWTP based on the false premise that the discharge is into a river 200 metres upstream of Golden Falls Lake with a constant minimum flow of 1.5 m³/sec.

Despite being informed by the Ballymore Eustace TSAA that this was not the case the EPA were not for turning. The WWTP was non compliant with its EPA emission limit values particularly for Ammonia for most of the time.

Irish Water/Uisce Éireann was founded in 2013 with responsibility for public water supply and waste water treatment in the country.

In 2019 Uisce Éireann got planning permission (PA Reg. Ref. 18255, ABP Ref. 302732-18) from Wicklow County Council to upgrade the Blessington WWTP to 9000 P.E., still based on the lie that the discharge is into a constant minimum flow of 1.5 m³/sec. Despite the Inspector dealing with the planning application recommending refusal An Bord Pleanála overruled the Inspector and granted planning permission.

Extract from email from Noel Byrne EPA dated 20th November 2018 to me.

---- "Data from the ESB

I requested flow data from the ESB (see attached) for Poulaphouca Dam and Golden falls lake (see data attached). The flow data refers to the time period from June 2017 to June 2018. Based on the data received plus discussion with the ESB, I noted the following:

The flow from Golden falls dam is continuous flow and is in excess of $1.5 \text{ m}^3/\text{second}$. This equates to the minimum flow required to meet Schedule 6 of the Liffey Reservoir Act 1936. For the 12 months records the average flow was $6.21 \text{ m}^3/\text{s}$.

Water from Poulaphouca reservoir passes into Golden Falls Reservoir in one of two situations:

- when the turbines in Poulaphouca Power Station are running which is normally the case
- when water is being spilled from the dam in Poulaphouca (usually only when the power station is unavailable to operate)
- Flow from Poulaphouca power station is not continuous. Flows from the turbines is very high (~37m³/s) compared to the flows out of Golden falls where the minimum flow is 1.5 m³/s. Therefore the flows from Poulaphuca power station occur intermittingly but at much higher volumes to balance the water outflows from golden falls. From a review of the data, typically it flows for 1 hour a day on week days and doesn't flow on weekends. This information will be forwarded to the EPA's catchments team for consideration when rivers are being reclassified."----

As the EPA Inspector stated the flow into Golden Falls Lake/Reservoir is "typically it flows for 1 hour a day on week days and doesn't flow on weekends." So there is only a flow into Golden Falls Lake/Reservoir and pass the Blessington WWTP discharge for 5 hours per week or to put it another way there is no flow pass the Blessington WWTP discharge location for 97% of the time.

How then, can Golden Falls Lake/Reservoir be considered a suitable location for a 9000 P.E. WWTP discharge?

Also, it's frightening that the Blessington LAP states "This plan will support any further required upgrades to Blessington WWTP"

An email to me dated 1st February 2023 from the Executive Scientist, Pollution Control Section, Planning Development & Environment, Wicklow County Council shows that Wicklow County Council are well aware that the Blessington WWTP discharge is not into a river with a constant minimum flow of 1.5m³/s, but into a Reservoir with an intermittent flow at the Blessington WWTP discharge location.

"With regards The River Liffey versus Golden Falls Reservoir:

We have to code all our monitoring stations using the EPA's Online data repository.

It shows the monitoring location as a river, even though it is a reservoir. So I can't get a lake code from the EPA, and have to log it as a river station. — otherwise I can't return the data to the EPA.

I have pointed the fact that this is a reservoir out to the EPA.

I agree that the flow is intermittent at this location depending on ESB generation. Regards"

While the 9000 P.E. WWTP is up and running the EPA WWDL is still the current D0063-01 for 6000 P.E.

The following are some extracts from EPA correspondence to IrishWater/Uisce Éireann relating to the Blessington WWTP discharge into Golden Falls Lake/Reservoir Waste Water Discharge Licence WWDL D0063-02 review.

Extract from letter dated 06 August 2021 from EPA Reg. No.: D0063-02 to Irish Water "REGULATION 16 COMPLIANCE REQUIREMENTS"

• The primary discharge location for the Blessington agglomeration is situated between the Poulaphouca Dam, which impounds Blessington Lake, and the Golden Falls Dam, which balances discharges from the Golden Falls lake. Provide flow data for the receiving waterbody in the vicinity of discharge point showing a constant minimum flow of 1.5m³/s at all times.

Extract from further letter from EPA dated 05 October 2021 Reg. No.: D0063-02 to Irish Water "Further Notice under the European Union (Waste Water Discharge) Regulations 2007 to 2020, in respect of a licence review from Irish Water for an agglomeration Blessington, Wicklow Dear Sir or Madam.

I refer to the EPA's notice of 06 August 2021 requesting information in respect of your licence review application. You are advised that there remains outstanding information, as required under the European Union (Was. Water Discharge) Regulations 2007 to 2020.

You are therefore required to submit the outstanding information detailed below:

1. The primary discharge location for the Blessington agglomeration is situated between the Poulaphouca Dam, which impounds Blessington Lake, and the Golden Falls Dam, which balances discharges from the Golden Falls lake. Provide flow data for the receiving waterbody in the vicinity of the primary discharge point showing a constant minimum flow of 1.5m³/s at all times."---

Extract from further request from EPA to Uisce Éireann dated 17th February 2025 Reg. No.: D0063-02 "Re: Notice in accordance with Regulation 18(3)(b) of the European Union (Waste Water Discharge) Regulations 2007 to 2020

Dear Sir or Madam

We refer to your application for a waste water discharge licence relating to agglomeration named Blessington, Reg. No. D0063-02. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Regulation 16 of the European Union (Waste Water Discharge) Regulations 2007 to 2020. You are therefore required, in accordance with Regulation 18(3)(b) of the Regulations, to take steps to supply the information detailed below: REGULATION 16 COMPLIANCE REQUIREMENTS

- 1. Provide the capacity of storm tank,
- 2. Provide the capacity of storm lagoon,
- 3. Provide the appendices as mentioned in the impact assessment,
- 4. Describe the existing or proposed measures to prevent unintended discharges into the water environment,
- 5. Provide daily flow data from the Poulaphouca Dam to Golden Falls from 2020 to date,
- 6. Provide confirmation, including supporting documentation, that demonstrates there will be a constant flow maintained in the vicinity of the discharge in the future to facilitate adequate mixing."----

Extract of further correspondence from EPA dated 01 April 2025 Reg. No.: D0063-02 to Uisce Éireann "Re: Notice in accordance with Regulation 18(3)(b) of the Waste Water Discharge (Authorisation) Regulations 2007 as amended

Dear Sir or Madam

We refer to your application for a waste water discharge licence relating to agglomeration named Blessington, Reg. No. D0063-02.

Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Regulation 16 of the Waste Water Discharge (Authorisation) Regulations 2007 as amended.

You are therefore required, in accordance with Regulation 18(3)(b) of the Regulations, to take steps to supply the information detailed below:

REGULATION 16 COMPLIANCE REQUIREMENTS

It is noted that Uisce Éireann have provided a water quality impact assessment for the Blessington WWTP to support the licence review application. However, the environmental impact was assessed on Golden Falls Reservoir and not the waterbody at the point of the discharge, and thus has not sufficiently assessed the impact on the Liffey_040 (receiving waterbody of discharge).

- 1. Provide evidence, including consideration for flows at the primary discharge point, to demonstrate the receiving waterbody is not impacted by the waste water discharge.
- 2. Table 3 (Ambient Water Quality Summary 2018-2023) of the water quality impact assessment shows 95%ile BOD at both downstream of Blessington WWTP and Golden Falls Reservoir exceeding the 'good' status EQS.

Uisce Éireann state data collected prior to January 2023 is no longer representative of current effluent loading conditions in receiving waters. Demonstrate whether the water quality concentrations meet the relevant EQSs at the current effluent quality and loadings."---

Extract from letter from EPA dated 10 June 2025 Reg. No.: D0063-02 to Uisce Éireann "Further Notice under the Waste Water Discharge (Authorisation) Regulations 2007 to 2020, in respect of a licence review from Uisce Éireann for an agglomeration Blessington, Wicklow. Dear Sir or Madam,

I refer to the EPA's notice of 01 April 2025 requesting information in respect of your licence review application.

You have requested an extension until 29 August 2023 (sic). It is noted that this proposed date provides a total period of 4 months to comply with the Waste Water Discharge (Authorisation) Regulations 2007 to 2020.

The Agency requires you to provide the information requested to the Agency on or before 15 July 2025."---

While there is no reply from Uisce Éireann to date, it appears that they are trying to conjure up smoke and mirrors to conceal the truth that there is not "a constant minimum flow of $1.5 \text{m}^3/\text{s}$ at all times" past the Blessington WWTP discharge point.

Blessington LAP

In terms of waste water, Uisce Éireann have recently completed an upgrade to Blessington Waste Water Treatment Plant to c. 9,000 population equivalent, which would serve the level of growth envisioned by the Wicklow County Development Plan Core Strategy over the plan period.

The upgrade is based on a lie that the discharge is in to a constant minimum flow of $1.5 \, \mathrm{m}^3/\mathrm{s}$. The newly upgraded Uisce Éireann Blessington 9000 P.E. WWTP is already non compliant with the current 6000 P.E. WWDL emission limit value for ammonia for Q4 2024 and Q1 2025. The upgraded WWTP does not have an EPA 9000 P.E WWDL (D0063-02) and is currently operating on a 6000 P.E. WWDL (D0063-01) which is falsely based on the lie that the Blessington WWTP discharges into a constant minimum flow of $1.5 \, \mathrm{m}^3/\mathrm{s}$.

In our view Uisce Éireann are acting like a rogue organisation with no respect for Planning Conditions or EPA Waste Water Emission Limit Value Conditions.

4. NATIONAL PLANNING FRAMEWORK FIRST REVISION

NPO 42 TO target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040'.

NPO 43 Priorotise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'.

As can be seen, the provision of new homes in Blessington does not constitute sustainable development due to the lack of proper water and waste water infrastructure.

If the National Planning Framework Policy Objectives is a Material Consideration for An Coimisiún Plealála and Wicklow County Council then I believe we have shown above that An Coimisiún Pleanála has no option but to refuse Permission for the proposed Large Scale Development of 329 units in Blessington, Co. Wicklow as the appropriate infrastructure is not in place and "In order to protect the quality of the water in the River Liffey in the interest of public health and recreational amenity, including angling.". Turning a

blind eye to non compliances with Kildare County Council and An Bord Pleanála planning conditions and EPA WWDL emission limit values is not an option for An Comisiún Pleanála.

Ballymore Eustace Trout and Salmon Anglers' Association respectfully request An Coimisiún Pleanála to refuse planning permission for this proposed Large Scale Development of 329 units in Blessington.

Yours sincerely,
Thomas Deegan
Honorary Secretary
Ballymore Eustace Trout and Salmon Anglers' Association.



Planning Department 045-980845

Date: 12/03/2025

Our Ref: SC/EM/KCC 08/520

Your Ref: n/a

Eoin Walsh
Senior Executive Engineer
Water Services Division
Environment & Transportation Department
Dublin City Council
Ballymore Eustace Treatment Works,
Co. Kildare

Re: Compliance with Conditions of a Planning Permission

Development: Ballymore Eustace Water Treatment Plant, Bishopsland, Ballymore

Eustace, Co. Kildare Pl. Reference: 08/520 Condition(s): No.8

Dear Sir/Madam,

Compliance submission for Condition No.8:

I refer to your correspondence in relation to compliance with Condition 8 of planning reference number 08/520.

Subsequent to assessment by the Environment Department of Kildare County Council, the Planning Authority hereby confirms that the Monitoring Report received on 4th March 2025 shows that maximum limits set on a number of dates have been exceeded as follows:

pН

Non-compliant with set limit on the 29th October 2024.

Suspended Solids

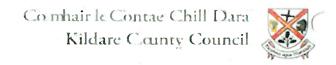
Non-compliant with set limit on the 12th November 2024

Total Aluminium

Non-compliant with set limit on the 26th November 2024 Non-compliant with set limit on the 3rd December 2024

Aluminium concentration downstream effect from spillway on River Liffey

Non-compliant with set limit on the 1st October 2024 Non-compliant with set limit on the 8th October 2024 Non-compliant with set limit on the 15th October 2024



Non-compliant with set limit on the 5th November 2024 Non-compliant with set limit on the 12th November 2024 Non-compliant with set limit on the 19th November 2024

The parametric values/limits for the spillway discharge set by the Planning Authority are presented below in Table 2.

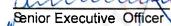
Table 2 - Parametric value/limit for spillway discharge

Parameter	Parametric value/limit
Colour	30° Hazen at the 95% percentile
Turbidity	15 N.T.U at the 95% percentile
Aluminium	6 mg/l (6000µg/l) at the 95% percentile
Suspended Solds	35 mg/l at the 95% percentile
рН	Between 6.8 and 8.3
*Aluminium concentration downstream effect from spi lway on River Liffey	172 μg/l

NOTE:

If you have any further queries ,please contact the Environment Department of Kildare County Council.

Yours faithfully,



^{*} This figure agreed in Condition 8 submission by Dublin City Council, Water Services received by Kildare County Council 8/10/2013 and subsequent proposal received 11/10/2013. This figure of 172 μ g/l is recalculated based on the Planning Authority's requirement to reduce the Aluminium parameter limit for the spillway discharge from 10 mg/l to 6mg/l.

Comhairle Contae Chill Dara Kildare County Council



Planning Department 045 980845

Our Ref: CO'N/ 00/2270 Your Ref: K/Prod/TK012002

Your File Ref: BME/

29th July, 2020

Mr. Tom Kinirons,
Senior Executive Engineer,
Dublin City Council,
Water Services, Environment & Engineering Dept,
Liffey Works
Ballymore Eustace
Co. Kildare
W91 W086

RE: Extend the Liffey works at Ballymore Eustace. The development includes construction of 270 Ml/d rapid gravity filters, OSEC plant, post filtration block, administration building, concourse, weir house, covered walkway linking new administration etc...at Liffey Waterworks, Ballymore Eustace, Co. Kildare - - Dublin Corporation

Monitoring Reports – January- March - (Condition no. 2) Ballymore Eustace Water Treatment Plant

Dear Mr. Kinirons,

I refer to your correspondence received in our offices on 6th July, 2020 in the above regard.

The figures submitted indicate that the average abstractions during the first three months are above the maximum 318MLD that Dublin City Council can abstract in accordance with their abstraction license and this is down to the high demand and operation problems associated with Leixlip WTP and Vartry WTP. Leixlip WTP had a problem with the filters and this causes an exceedance in turbidity and Vartry have a problem with the Algae bloom blocking the filters and reducing the capacity from a 72 MLD to 50MLD. Ballymore WTP is under tremendous pressure to compensate for the loss of capacities from Leixlip WTP and Vartry WTP due to higher demand because of dry weather.

Yours faithfully,

SENIOR EXECUTIVE OFFICER



