AN BORD PLEANÁLA
LDG- 074231-24
ABP-
27 AUG 2024
Fee: € 50.00 Type: CARD
Time: 13:12 By: HAND

F O' Sullivan
Millane
Kilbride
Blessington
Co .Wicklow
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Wicklow County Council
Ref No: UD5239

An Bord Pleanala
Case No: RL27.320327

Kippure Lodge and Holiday Village
Kippure Estate
Manor Kilbride
Blessington
Co. Wicklow

I would like to question the validity of this application to the board given the fact that Wicklow County Council gave a warning letter to the developers in June 2022. In June 2024 the developers received an enforcement notice to cease all building works and to commence demolition of the illegal development.
It had been stated in the media that Quanta Capital purchased the property in 2020 with the view of turning it into a centre parcs style resort.
Tondo Ltd is a property management company who's director is Eoghan Coughlan. Eoghan is also head of legal in Quanta Capital with experience in construction and environmental legislation and formerly worked in the department of the environment. His work included construction and acquisition of over 7000 dwellings annually. It is my belief that Eoghan has sufficient knowledge of planning laws to understand the complex environmental sensitivity of the site at Kippure Estate and thus chose to disregard the planning system because of site location and the proximity of the site to a special area of conservation (sac) and also the proximity of the river Liffey and previous complex planning approvals on the site.

Joe Christle is a chairperson of Quanta Capital. He also has a career as a barrister and is profitant in law and as a chairperson he has a duty under the companys law act 2014 to uphold the companys obligations to it's shareholders and to operate under the realms of

law . Had Mr Christle preformed his duties as chairperson this application to An Bord Pleanala would have been made prior to any commencement of any development.

Linda Hickey is a vice chairperson of Quanta Capital and has over 14 years experience in corporate governance and is also a director of Cairn Homes Plc. Cairn homes is one of the largest property developers in the state. Linda Hickey should also be well aware of planning regulations and environmental law in planning requirements.

Mel Sutcliffe director of Quanta Capital and also Zenco developments established in 2007. Zenco developments has a history of planning applications in large housing developments such as the development at Ashwood farm glenamuck rd Dublin 18. A controversial site were An Bord Pleanala recently rejected an application from Cairn Homes within the same site.

I believe the directors of this company have abused the law and have complete contempt for environmental law, planning law and corporate law..
Given the scale of this illegal development in a highly sensitive area they have acted in a criminal manner.

This development has had a significant impact on the environment around the estate. A large number of mature tree's have been removed from the site to make way for the development. The visual impact is substantial within a special area of conservation. A previous application to Wicklow County council by the former owner in 2018 had stringent conditions attached regarding the sewage system and the percolation area given it's proximity to the river Liffey.
While that application did not include any additional accommodation we have a situation were over 65 dwellings have been built. Only some of the additional dwellings have been made habitual and there has been numerous sewage spills in the last year.
I have obtained photo evidence that on the 15th August works were taking place on a new percolation system again without planning permission which should be obtained through the local authority in consultation with Irish water, Dublin city council and the EPA given this is an active case with An Bord Pleanala no works should be taking place that need planning permission.

The high number of construction traffic has had a significant impact on the narrow country roads that leed to kippure estate which has a significant impact on road safety with numerous amounts of incidents occurring.
I do not believe this development should be given any consideration of approval as it will be and has been detrimental to road safety and all roads that lead to Kippure.
The community around kippure estate is predominantly agricultural based economy. The high volume of traffic can interfere with the day to day running and moving of animals and machinery on local farms
It should also be noted that the river Liffey that feeds to the poulaphuca resovoir is situated less than 150 yards from this development and it's sewage system. The poulaphuca

resovoir supplies 50%o of it's water for Dublin on a daily basis therefore any unregulated development at this site is bound to have a significant impact on water quality.
Kippure Estate is not an agricultural operation therefore the buildings claiming to agricultural status (also built illegally) are being used on a commercial basis.

The actions of these people has had a significant impact on the environment. The impact of this development if approved will have significant consequences for development and respect for any planning authority I'm any future developments throughout the state .
I believe essentially what has happened here is that a large town has been built without any planning and constitutes the biggest planning scandal in the history of the state.

Peter O S

27/8/24

Business Post

With Kippure Lodge and 24 self-catering houses, the estate has been a popular wedding and corporate event venue. Quanta is backed by Californian investment giant Oaktree Capital

RÓISÍN BURKE | AUGUST 9, 2020

Kippure Estate in Wicklow has been a popular wedding and corporate events location

Quanta Capital, the Oaktree-backed fund with about €500 million in assets under

Eoghan Coughlan

Head of Legal

address is Dublin, and the company status is Normal. The company's current directors have been the director of 35 other Irish companies between them; 12 of which are now closed. Tondo Limited has 1 shareholder. This Irish company shares its Eircode with at least 13 other companies.

e:	Tondo Limited
s:	NORMAL
ess:	15 Merrion Square Nortl Dublin
	Mr Coughlan
	Log-In To View

- Credit Report & Financials
- Company Printout Report
- Directors & Owners Report
- Bad Debt Judgments Report
- Mortgages Report

View a sample report

BUY NOW

Company Vitals

Company Name:	Tondo Limited
Time in Business:	4 Years
Company Number:	662199
Company Size:	Small Company
Current Status:	NORMAL
Principal Activity:	[6810] Buying and Selling of Own Real Estate
May Trade As:	Tondo Ltd

ADD MY COMPANY DETAILS

Registered Address: 15 Merrion Square North

Eoghan holds a Masters in Real Estate from Technological University Dublin. Over the course of a decade, Eoghan held various senior and diplomatic positions in the Irish Government, both nationally and internationally.

In 2012, Eoghan was seconded to the Department of Foreign Affairs Diplomatic Mission in Brussels for Ireland's Presidency of the Council of the EU. In this role, Eoghan was responsible for the coordination of a highly ambitious EU legislative programme. He was also Ireland's representative at High Level EU and International Working Group Meetings

ambitious EU legislative programme. He was also Ireland's representative at High Level EU and International Working Group Meetings ranging from the Environmental Impact Assessment Directive, EU Emissions Trading and the EU Crisis Coordination Committee etc.

During his tenure in the Department of the Environment, Eoghan worked on delivering the highly ambitious €1bn Housing Investment Programme through 2004 to 2007. This work involved the construction and acquisition of over 7,000 dwellings annually coupled with large scale regeneration projects for the

regeneration projects for the Irish State. Further, Eoghan worked closely on transposing EU Directives into Irish law to satisfy certain European Court of Justice Cases on Waste Management. He was also a member of the Environmental Enforcement Network through the EPA. In addition, Eoghan worked on developing Ireland's national waste policy along with major waste infrastructure projects throughout Ireland.

Eoghan is now responsible for all legal and acquisition transactions for Quanta.

Joe Christle recently replaced Michael Buckley as Quanta Chairperson. We were honoured at Quanta to have Michael as our Chairperson for a four year term. Joe has had an extensive career in both legal and business affairs for over 30 years.

Joe is also a graduate of Theoretical Physics from Trinity College Dublin. Following his education, Joe commenced his career in accountancy with one of Ireland's renowned chartered accountancy firms Oliver Freaney Chartered Accountants (now Smith Williamson). During this time, he was also a Journalist with the Irish Press, where, he held a column for 10 years. In addition, Joe, has pursued a career as a Barrister at

Vice – Chairperson

Linda Hickey has had a 30-year career in Stockbroking and Investment Banking. Linda spent the last 14 years as Head of Corporate Broking at Goodbody Stock Brokers advising corporate clients on shareholder engagement, capital market fundraising and corporate governance.

Prior to that she worked for Merrill Lynch, New York and NCB Stockbrokers, (now Investec) in Dublin. She is currently a Non-Executive Director of Kingspan plc, the global leader in high-performance insulation; Cairn Homes plc; Chair of the Irish Blood Transfusion Service; and is a senior advisor at Powerscourt

Lady Alice de la Poer Beresford

Advisory Board Member

Alice was educated at Heathfield School, Ascot, United Kingdom. She later graduated from Parson's School of Art and Design in New York. Alice has gone on to establish a reputation as a celebrated photographer and has held exhibitions in New York, London and Dublin.

Alice has been a Director of Curraghmore Group since 2000. It oversees the management of Curraghmore Estate in Co Waterford and previously Glenbride Estate Co Wicklow.

and lifestyle of sustainability, conservation and environmental matters, she has joined Quanta Capital to oversee and implement the group's Sustainability Charter. Quanta Capital, along with its Consultancy Partner, KRA, is preparing a detailed sustainability policy which takes into account the impact of its business on the environment. Quanta places environmental conservation and sustainability to the forefront of its strategic thinking and is committed to a zero carbon policy within our entities.

By way of example, Alice will oversee the planned re-planting of 500 acres of forestry at the Kippure Estate in Co. Wicklow, to drive our carbon footprint

Derek Noble

Head of Development

Derek holds professional qualifications in both construction and property economics and has over 30 years' experience, with some of Ireland's largest construction and real estate companies. From 2000, Derek spent 11 years as Head of Development with Grattan Property, one of Ireland's largest development and construction companies with over €2 billion of assets in Ireland and the UK. The role involved acquisition, planning and delivery of both commercial and residential projects. Prior to joining Grattan Property, Derek worked in Savills for 5 years, gaining knowledge of commercial lettings and sales.

Environmental Policy

At Kippure Estate, we value our surrounding countryside. We understand the fragility of the Irish upland and recognise that many of our activities impact on our environment. That's why we aim to conduct our business and operations in a way that reflects best environmental practice.

Our environmental policy means we:

- Carry out ongoing reviews of all our activities, operations and procedures so we can identify, quantify and evaluate their environmental impact and set priorities to minimise these
- Minimise any negative environmental effects our activities may cause, using energy, natural and non-renewable resources efficiently, while

Dr. John Tierney

Advisory Board Member

Dr. John Tierney, in his 39 year public service career, held some of the most senior roles in the Irish public sector. He served as Galway City Manager, Fingal

announced as the boss of new semi-state agency Irish Water

John Tierney, the Dublin city manager, will be in charge of the new organization for an initial three-year term , which is tasked with rolling out water meters and water charges. He will take up the post in April.

Mr Tierney's salary will be below the €250,000 salary cap for semi-state bosses imposed the Government.

He is currently paid around €190,000 for his role at the city council and he will work closely with the new head of Bord Gais, who is also due to be announced shortly.

Mr Tierney said he was honoured to take up the new job.

The Poulaphouca Reservoir in Co Wicklow, which supplies an estimated 50 per cent of Dublin's drinking water, is at huge risk from pollution

Elaine McGoff, head of advocacy at An Taisce, at Blessington Lakes, Co Wicklow, where algal blooms have been found along the shoreline.

Chairperson under the Companies Act

It is therefore to the Companies Act 2014 we turn in order to ascertain the statute law that will be relevant for the majority of businesses. The Companies Act contains the law that regulates the conduct of meetings and it is in the context of meetings that the position of Chairperson arises.

Section 160 of the Act introduces the position of Chairperson in the context of meetings of directors and committees.

(1) The directors of a company may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit.

(2) Questions arising at any such meeting shall be decided by a majority of votes and where there is an equality of votes, the chairperson shall have a second or casting vote.

(3) A director may, and the secretary on the requisition of a director shall, at any time summon a meeting of the directors.

(4) All directors shall be entitled to reasonable notice of any meeting of the directors but, if the directors so resolve, it shall not be necessary to give notice of a meeting of directors to any director who, being resident in the State, is for the time being absent from the State.

(5) Nothing in subsection (4) or any other provision of this Act enables a person, other than a director of the company concerned, to object to the notice given for any meeting of the directors.

(6) The quorum necessary for the transaction of the business of the directors may be fixed by the directors, and unless so fixed shall be 2, but, where the company has a sole director, the quorum shall be one.

(7) The continuing directors may act notwithstanding any vacancy in their number but, if and so long as their number is reduced below the number fixed by or pursuant to this Act as the necessary quorum of directors, the continuing directors or director may act for the purpose of increasing the number of directors to that number or of summoning a general meeting of the company but for no other purpose.

(8) The directors may elect a chairperson of their meetings and determine the period for which he or she is to hold office, but if no such chairperson is elected, or, if at any meeting the chairperson is not present within 15 minutes after the time appointed for holding it, the directors present may choose one of their number to be chairperson of the meeting.

(9) The directors may establish one or more committees consisting in whole or in part of members of the board of directors.

(10) A committee established under subsection (9) (a "committee") may elect a chairperson of its meetings; if no such chairperson is elected, or if at any meeting the chairperson is not present within 15 minutes after the time appointed for holding it, the members of the committee present may choose one of their number to be chairperson of the meeting.

(11) A committee may meet and adjourn as it thinks proper.

(12) Questions arising at any meeting of a committee shall be determined by a majority of votes of the members of the committee present, and where there is an equality of votes, the chairperson shall have a second or casting vote.

Power of director to act in a professional capacity for company

230. Save to the extent that the company's constitution provides otherwise—

(a) any director may act by himself or herself, or his or her firm, in a professional capacity for the company of which he or she is a director, and

(b) any director, in such a case, or his or her firm, shall be entitled to remuneration for professional services as if he or she were not a director,

or she is director,

but nothing in this section authorises a director, or his or her firm, to act as statutory

228. (1) A director of a company shall—

(a) act in good faith in what the director considers to be the interests of the company;

(b) act honestly and responsibly in relation to the conduct of the affairs of the company;

(c) act in accordance with the company's constitution and exercise his or her powers only for the purposes allowed by law;

(d) not use the company's property, information or opportunities for his or her own or anyone else's benefit unless—

(i) this is expressly permitted by the company's constitution; or

(ii) the use has been approved by a resolution of the company in general meeting;

(a) act in good faith in what the director considers to be the interests of the company;

(b) act honestly and responsibly in relation to the conduct of the affairs of the company;

(c) act in accordance with the company's constitution and exercise his or her powers only for the purposes allowed by law;

(d) not use the company's property, information or opportunities for his or her own or anyone else's benefit unless—

(i) this is expressly permitted by the company's constitution; or

(ii) the use has been approved by a resolution of the company in general meeting;

(e) not agree to restrict the director's power to exercise an independent judgment unless

Seefin Events Unlimited Company was set up on Friday the 31st of January 2020. Their current partial address is Wicklow, and the company status is Normal. The company's current directors have been the director of 458 other Irish companies between them; 79 of which are now closed. Seefin Events Unlimited Company has 1 shareholder.

Company Name:	Seefin
Company Status:	NORM
Company Address:	Kippur Manor Blessir

Hello Peter,

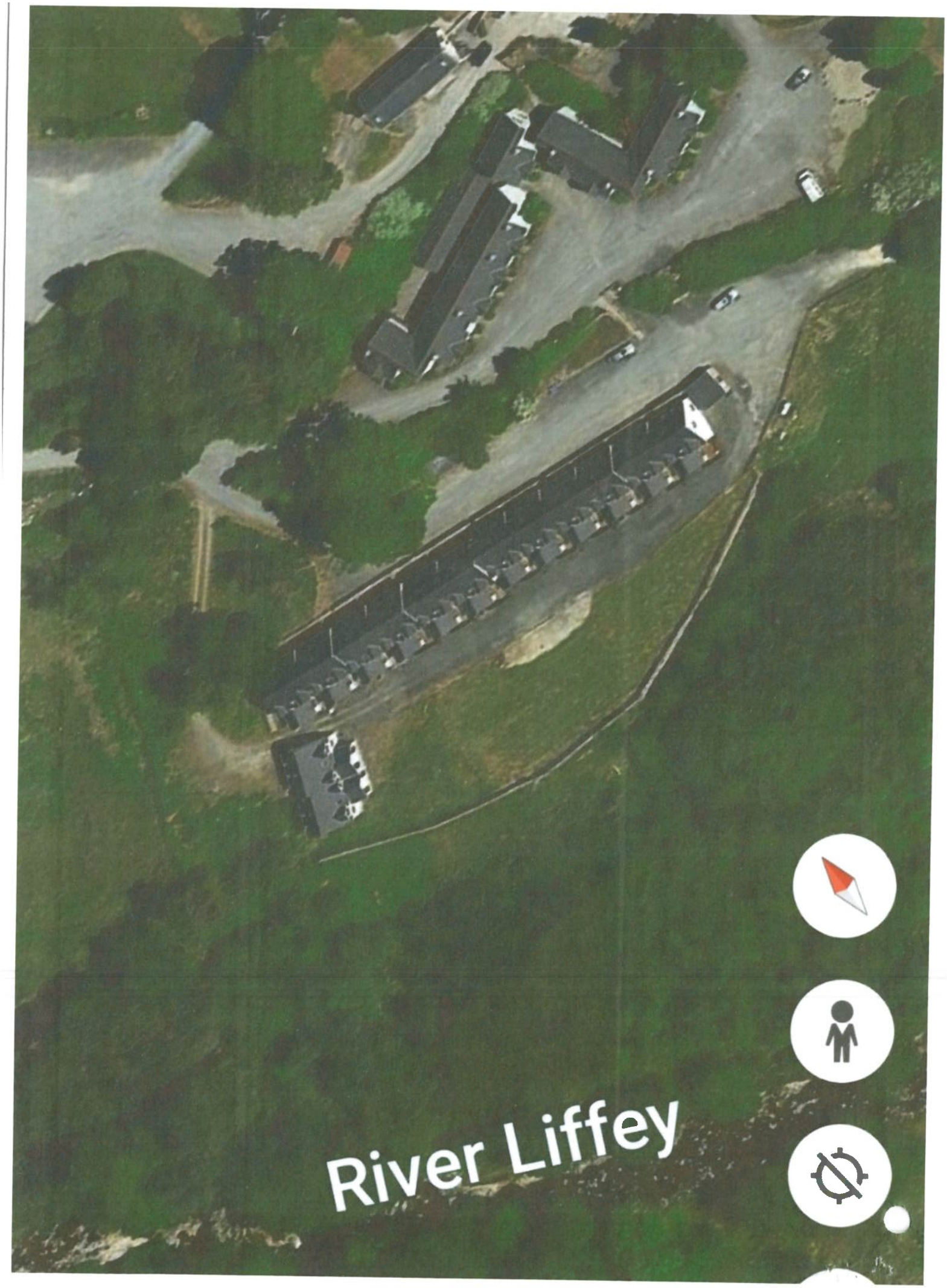
The site was visited on 02/04/24. There was a sewage overflow from a manhole on the foul sewer line on 8/9th March. It was caused by a blockage and a jetting company were engaged to the remove the blockage at that time. There was no evidence of a continuing discharge or that the previous had reached the river. On further inspection of vicinity of the wastewater treatment plant, discharges from percolation area were noted. The wastewater treatment plant operator and engineer were requested to take action to stop the discharge. This was confirmed later that evening on 2/04/24. There was no evidence that the discharge had reached the river. A warning letter has issued to the owner.

Thank you for bringing this matter to our attention.

Kind regards,

Tom Griffin

Show quoted text


River Liffey

ENFORCEMENT REGISTER DETAILS

UD No:	**UD5239**	**Plan File No:**	**04/1945** **05/2792** **12/6455** **12/6539** **12/6761** **17/352**
Name:	The Secretary, Tondo Ltd., Eoghan Coughlan Joe Christle		
Description	Alleged unauthorised development, consisting of the carrying out of the following developments on parts of site of Kippure Lodge and Holiday Village, Manor Kilbride, Blessington, Co. Wicklow, W91VE04 [WW3430F] which in part encompasses a section of the Wicklow Mountains National Park Special Area of Conservation and is adjacent to the Wicklow Mountains National Park Special Protection Area [SPA] and River Liffey to the south; consisting of the carrying out of the following categories of development without authorisation by planning permission: 1. The development of internal roadways within the subject lands including ancillary drainage works. 2. The construction of four new structures including associated ground works in the form of: (a) A large single storey rectilinear building with a pitched roof frame, positioned to the rear/west of the centrally located administration-function-bedroom block [Kippure Lodge]. (b) The replacement of the former gate lodge adjacent to the gateway from this estate onto the R.759 public road, with a new style single storey dwelling house style building. (c) The construction of a new stone masonry pedestrian bridge with mass concrete spans and side railings which replaced a former wooden footbridge bridge. (d) The construction of a new stone faced chapel style building with ancillary access steps and three boundary walls on an excavated ground platform, adjacent to the new pedestrian masonry bridge. Non-compliance with the respective requirements of Condition numbers 1,2,3(a) & (b), 4,5,6 of the grant of planning permission under Planning Register Reference [PRR] 17/352 of the 9th of February 2018.		

Warning Letter:	**Yes**	**Date of Issue:**	**07/06/2022**
Particulars	Alleged unauthorised development, consisting of the carrying out of the following developments on parts of site of Kippure Lodge and Holiday Village, Manor Kilbride, Blessington, Co.		

	Wicklow, W91VE04 [WW3430F] which in part encompasses a section of the Wicklow Mountains National Park Special Area of Conservation and is adjacent to the Wicklow Mountains National Park Special Protection Area [SPA] and River Liffey to the south; consisting of the carrying out of the following categories of development without authorisation by planning permission: 1. The development of internal roadways within the subject lands including ancillary drainage works. 2. The construction of four new structures including associated ground works in the form of: (a) A large single storey rectilinear building with a pitched roof frame, positioned to the rear/west of the centrally located administration-function-bedroom block [Kippure Lodge]. (b) The replacement of the former gate lodge adjacent to the gateway from this estate onto the R.759 public road, with a new style single storey dwelling house style building. (c) The construction of a new stone masonry pedestrian bridge with mass concrete spans and side railings which replaced a former wooden footbridge bridge. (d) The construction of a new stone faced chapel style building with ancillary access steps and three boundary walls on an excavated ground platform, adjacent to the new pedestrian masonry bridge. Non-compliance with the respective requirements of Condition numbers 1,2,3(a) & (b), 4,5,6 of the grant of planning permission under Planning Register Reference [PRR] 17/352 of the 9th of February 2018		
Withdrawn:	**Yes/No**	**Date:**	**DD/MM/YY**
Reason:			
Enforcement Notice:	**Yes/No**	**Date of Issue:**	**DD/MM/YY**
Decision: **Particulars:** **Reason for Service Of Enforcement Notice.**	**Director. Of Services Order No. Enf.** **Date:** Description/Particulars Continued existence of unauthorised development as specified in the Enforcement Notice.		
Complied with:	**Yes/No**	**Date:**	

Reason	

Reg updated 14/06/2022

Comhairle Contae Chill Mhantáin
Wicklow County Council

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.
Suíomh / Website: www.wicklow.ie

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

By Registered Post & Ordinary Post

PB/PC

The Secretary

7 June, 2022

Warning Letter as per Section 152 of the Planning & Development Act 2000 (as amended)

UD5239: Alleged unauthorised development, consisting of the carrying out of the following developments on parts of site of Kippure Lodge and Holiday Village, Manor Kilbride, Blessington, Co. Wicklow, W91VE04 [WW3430F] which in part encompasses a section of the Wicklow Mountains National Park Special Area of Conservation and is adjacent to the Wicklow Mountains National Park Special Protection Area [SPA] and River Liffey to the south; consisting of the carrying out of the following categories of development without authorisation by planning permission:

1. **The development of internal roadways within the subject lands including ancillary drainage works.**
2. **The construction of four new structures including associated ground works in the form of:**

(a) **A large single storey rectilinear building with a pitched roof frame, positioned to the rear/west of the centrally located administration-function-bedroom block [Kippure Lodge].**

(b) **The replacement of the former gate lodge adjacent to the gateway from this estate onto the R.759 public road, with a new style single storey dwelling house style building.**

(c) **The construction of a new stone masonry pedestrian bridge with mass concrete spans and side railings which replaced a former wooden footbridge bridge.**

(d) **The construction of a new stone faced chapel style building with ancillary access steps and three boundary walls on an excavated ground platform, adjacent to the new pedestrian masonry bridge.**

3. **Non-compliance with the respective requirements of Condition numbers 1,2,3(a) & (b), 4,5,6 of the grant of planning permission under Planning Register Reference [PRR] 17/352 of the 9th of February 2018.**

A Chara,

For reasons outlined in the attached cover letter, this Warning Letter has been issued to you and the other principal of Tondo Limited, with respect to the developments on the subject lands described in the above heading which in opinion of Wicklow County [the Planning Authority] each respectively constitute alleged unauthorised development. A summary of the statutory definition of 'unauthorised development' in Section 2(1) of the Planning and Development Act 2000 (as amended), is set out in the addendum hereunder.

Reasons for alleged unauthorised development on the subject site of this Warning Letter:

It is deemed that for the reasons outlined hereunder, the above developments constitute alleged unauthorised developments, because they have been/are being carried out without the benefit of a relevant grant(s) of planning permission, and in the opinion of the planning authority, such permission is required:

1. The development(s) as described in the above heading is/are considered to come within the scope of the meaning of 'development' as set out in Section 3(1) of the Planning and Development Act 2000 (as amended).

2. In accordance with Section 32(1) of the said Planning Act, the development(s) in question is/are deemed not to be exempt from the general obligation to obtain planning permission, for following respective reasons:

(a) The construction of the respective; Gate Lodge bungalow inside of the public roadside gateway to the subject site, the chapel style building positioned adjacent to the new masonry stone/stainless steel side railings pedestrian bridgeover the River Liffey, the large rectilinear single storey building to the rear/west of the principal administration/function/residential building in the central area of this holding; each constitute the construction of new structures.

(b) With reference to one of the directions in the Court decision: McCabe v CIE (2006) IEHC 356; the construction of:
   (i) The lodge style dwelling near to gateway of Kippure Lodge to the R.759 developed within the curtilage of a former lodge house.
   (ii) The bridge as a replacement bridge for a previous bridge in the same area, which was demolished in full.

   In the opinion of the Planning Authority, each constitute new developments in full come that do not come within the scope of the exempted development provisions of Section 4(1)(h) of the said Planning Act.

(c) It is further considered that none of exempted development provisions of current planning and development legislation apply to the features of alleged unauthorised development outlined above.

Furthermore, the following developments on the subject site are also considered to constitute alleged unauthorised developments, because they have been/are being carried out, not in compliance with certain conditions of the grant of planning permission under PRR 17/352 of the 9th of February 2018:

- Condition no.2: Development Contributions. Current CSO index linked due amount is: €7,605.
- Condition no.4: Installation and certification of a grease trap interceptor on the sewer linking the kitchen in the function room section of building permitted under this grant of planning permission, in accordance with details specified in this condition.

Condition no.5 (a): The testing of ground water samples via boreholes to monitor the effective operation of the new-commissioned WWTP and the submission of these results for the agreement of Wicklow County Council [Environment Section

You are invited, as required by Section 152 (4) (b) of the above Act, to make a written submission or written observation concerning the alleged unauthorised development referred to herein, within 4 weeks from the date of this letter.

Please note that while submissions relating to alleged unauthorised development are generally treated as confidential, any submission relating to non-compliance with the conditions of a planning permission will also be placed on the relevant planning file, which is open for public viewing.
Your submission may include some or all of the following information and any additional information you may consider relevant:

1. Please confirm/advise:
   (a) If Tondo Limited/its principals is/are the only Responsible Party for the carrying out of the alleged unauthorised developments outlined in the above heading?
   (b) The names of additional companies/individuals who may also be responsible for carrying out the said alleged unauthorised developments or fully responsible for carrying out those developments.

2. In circumstances that you intend to undertake such remedial steps as outlined hereunder and/or alterative steps for the purpose of addressing the said alleged unauthorised development(s) features; please submit a proposed timeframe for the completion of any such steps.

   (a) Dismantle/demolish each of the four new structures outlined in category 2 of the above heading and remove the resultant waste from the curtilage of the subject lands, in accordance with the relevant provisions of current waste management legislation.
   (b) Restore the respective areas of the subject site affected by the said alleged new unauthorised developments, in so fact as is possible to their pre-development conditions.

3. Please confirm:

   (a) What the proposed function(s) of the new building referenced in 2(a) of the above heading is/are.
   (b) If you are prepared to cease all further fresh construction and ancillary works with respect to each of the respective developments outlined in category no.2 of the above heading, whilst enforcement action remains active under this file.

4. In circumstances that you intend to submit to Wicklow County Council, a planning application (s) for retention permission for the alleged unauthorised development feature(s) referred to above; please indicate an envisaged timeframe for the submission of such an application. Please note that:

   (a) The planning authority can provide no guarantees regarding the outcome of any such planning application.
   (b) The onus is on you/your agents to ensure arising from survey-analysis of the subject site, that the remit of any such planning application encompasses all

existing and proposed developments thereon that require authorisation under PART III of the said Planning Act.

5. With regards to the attainment of the various compliance requirements of the planning permission conditions under PRR 17/352 outlined in category no.3 of the above heading [including payment of development contributions]; you are requested to submit a proposed timeframe for fulfilment of the provisions of each of those respective compliance steps.

Please note: That in the interests of clarity, it is open to you to have a surveyed site layout plan of the subject estate [in one or more plans] prepared by an architect-surveyor-engineer, prepared and included as part of your submission to this Warning Letter, Planning Authority is prepared to consider a short extension of the said 4 week submission timeframe, to enable such a plan(s) to be prepared.

You are advised that Sections 152 (4)(d)/253 of the Act allow an authorised Planning Official at all reasonable times to enter onto lands for inspection and make a recommendation as to what action if any, will be taken. It is the intention of Wicklow County Council to carry out further inspections of the subject site herein in the aftermath of the issue of this Warning Letter.

A decision on whether to issue an Enforcement Notice (under Section 154 of the Act) shall be taken by the Planning Authority on foot of this Warning Letter. In the making of this decision, the Planning Authority shall consider any representations in written submissions/observations made to it under Section 152(1)(a) and 152(4)(b) of the Act respectively and the outcome of its own investigations regarding the alleged unauthorised development(s) referred to in the above heading.

The possible penalties involved where there is an offence are outlined on attached sheet.

In accordance with the provisions of section 162(3) of the Planning Act, the Planning Authority are not required to place a stay or withdraw enforcement action under Part VIII of the Act by reason of a submission to it of any planning application for retention of permission under Section 34(12C) of the same Act pertaining to the subject alleged unauthorised development(s) in this Warning Letter.

I look forward to your submissions/observations.

Mise le meas,

R. Dennison

ROSEMARIE DENNISON
ADMINISTRATIVE OFFICER
PLANNING ENFORCEMENT

Summary definition of 'unauthorised development' in Section 2(1) of the Planning and Development Act 2000 (as amended).

The carrying out of any **works** to and/or the **material change of use** of any structure/land, (including the construction, erection or making of any structure) respectively, without the benefit of a grant of planning permission(s) under PART 3 of the Planning and Development Act 2000 (as amended) or under preceding planning legislative provisions; where such developments are considered **not to be exempt** from the requirement to obtain a grant of planning permission(s).
The carrying of works to and/or a material change of use of any structure/land respectively, which are deemed to be **not in compliance** with a relevant grant of planning permission(s) or any condition(s) attached thereto.

ENFORCEMENT REGISTER DETAILS

UD No:	**UD5239**	**Plan File No:**	**04/1945** **05/2792** **12/6455** **12/6539** **12/6761** **17/352**
Name:	The Secretary, Tondo Ltd., Eoghan Coughlan Joe Christle		
Description	Alleged unauthorised development, consisting of the carrying out of the following developments on parts of site of Kippure Lodge and Holiday Village, Manor Kilbride, Blessington, Co. Wicklow, W91VE04 [WW3430F] which in part encompasses a section of the Wicklow Mountains National Park Special Area of Conservation and is adjacent to the Wicklow Mountains National Park Special Protection Area [SPA] and River Liffey to the south; consisting of the carrying out of the following categories of development without authorisation by planning permission: 1. The development of internal roadways within the subject lands including ancillary drainage works. 2. The construction of four new structures including associated ground works in the form of: (a) A large single storey rectilinear building with a pitched roof frame, positioned to the rear/west of the centrally located administration-function-bedroom block [Kippure Lodge]. (b) The replacement of the former gate lodge adjacent to the gateway from this estate onto the R.759 public road, with a new style single storey dwelling house style building. (c) The construction of a new stone masonry pedestrian bridge with mass concrete spans and side railings which replaced a former wooden footbridge bridge. (d) The construction of a new stone faced chapel style building with ancillary access steps and three boundary walls on an excavated ground platform, adjacent to the new pedestrian masonry bridge. Non-compliance with the respective requirements of Condition numbers 1,2,3(a) & (b), 4,5,6 of the grant of planning permission under Planning Register Reference [PRR] 17/352 of the 9th of February 2018.		

Warning Letter:	**Yes**	**Date of Issue:**	**07/06/2022**
Particulars	Alleged unauthorised development, consisting of the carrying out of the following developments on parts of site of Kippure Lodge and Holiday Village, Manor Kilbride, Blessington, Co.		

	Wicklow, W91VE04 [WW3430F] which in part encompasses a section of the Wicklow Mountains National Park Special Area of Conservation and is adjacent to the Wicklow Mountains National Park Special Protection Area [SPA] and River Liffey to the south; consisting of the carrying out of the following categories of development without authorisation by planning permission: 1. The development of internal roadways within the subject lands including ancillary drainage works. 2. The construction of four new structures including associated ground works in the form of: (a) A large single storey rectilinear building with a pitched roof frame, positioned to the rear/west of the centrally located administration-function-bedroom block [Kippure Lodge]. (b) The replacement of the former gate lodge adjacent to the gateway from this estate onto the R.759 public road, with a new style single storey dwelling house style building. (c) The construction of a new stone masonry pedestrian bridge with mass concrete spans and side railings which replaced a former wooden footbridge bridge. (d) The construction of a new stone faced chapel style building with ancillary access steps and three boundary walls on an excavated ground platform, adjacent to the new pedestrian masonry bridge. Non-compliance with the respective requirements of Condition numbers 1,2,3(a) & (b), 4,5,6 of the grant of planning permission under Planning Register Reference [PRR] 17/352 of the 9th of February 2018

Withdrawn:	**Yes/No**	**Date:**	**DD/MM/YY**
Reason:			

Enforcement Notice:	**Yes**	**Date of Issue:**	**10/05/2024**
Decision:	**Director. Of Services Order No. CE/PERD/683/2024** **Date:**		
Particulars: **Reason for Service Of Enforcement Notice.**	Unauthorised development, consisting of the carrying out of developments within the curtilage of the site of Kippure Lodge and Holiday Village, Kippure Estate, Manor Kilbride, Blessington, Co. Wicklow, W91VE04 (include in part within Folio WW3430F) consisting of the carrying out of residential development without authorisation by planning permissions In accordance with the respective provisions of Section 154 (5) (a) (i) and Section 154 (5) (b) of the Planning and Development Act 2000 (as amended), you are hereby required within **16 weeks** of the date of this Enforcement Notice, to take the following steps: 1. Cease the use of each of the respective 14 number two-storey dwelling houses that constitute the singular residential block (Structure no. 12) for residential occupation purposes. 2. Demolish in full each of the said respective 14 number two-storey dwelling houses (Structure no. 12) including the foundations of those structures. 3. Demolish in full, each of the said respective 51 number dwelling house units (Structure no. 16), to include the demolition/removal of; (a) The foundations of each of those structures. (b) The retaining wall that forms the lower part of the rear/northern wall of that block of dwelling houses. 4. Remove all waste materials, objects and items generated by the carrying out of full compliance with directional step numbers 2 and 3, from the curtilage of the subject land holding known as 'Kippure Estate'. 5. Restore in so far as is practical, the respective physical character of the ground areas of the subject site encompassed by the said respective developments of the said residential blocks referenced herein as; Structure no. 12 and Structure no. 16; to the condition such areas were in, prior to the commencement of those unauthorised development features, by: (a) The restoration of the south orientated sloped landscape profile of that part of the subject site by backfilling the excavated ground areas with a mixture of soil and stones. (b) The sowing of a vegetation cover of grass/plants/scrubs/trees on the said reinstated sloped landscape profile.		

Complied with:	**Yes/No**	**Date:**	
Reason			

Reg updated 14/06/2022, 10.05.2024

Comhairle Contae Chill Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

Aras An Chontae / County Buildings
Cill Mhantain / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.i
Suíomh / Website: www.wicklow.ie

By Registered and Ordinary Post

10th May 2024

[redacted]

ENFORCEMENT NOTICE SECTION 154 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

UD 5239 : Alleged unauthorised development, consisting of the carrying out of the following developments within the curtilage of the site of Kippure Lodge and Holiday Village, Kippure Estate, Manor Kilbride, Blessington, Co. Wicklow, W91VE04 [include in part within Folio WW3430F] consisting of the carrying out of the following residential development without authorisation by planning permission(s):

1. **The construction of a terrace of 14 no. stone masonry clad two-storey split level houses with an east to west orientation (Structure no. 12) positioned to the south/downhill of the 'Belfry' building and to the rear of authorised blocks of holiday homes (permitted under Planning Register Reference [PRR] 94/1113 and the residential occupational use of each of those dwelling houses.**
2. **The construction of a block of 51 dwelling houses (Structure no. 16) incorporating a mass concrete retaining wall as the ground floor section of the rear/northern wall of that block of houses which in the central part of the this site, between the two blocks of permitted holiday homes thereon.**

Take Notice that Wicklow County Council, being the Planning Authority for the area in which the lands referred to in the above heading are located and having investigated the matter in accordance with the provisions of Sections 152-154 of the Planning and Development Act 2000 (as amended), has for reasons outlined in the attached cover letter, decided to serve this Enforcement Notice on you as one of the parties listed in that letter: regarding features of unauthorised development set out in the above heading.

PART A:

In accordance with the respective provisions of Section 154 (5) (a) (i) of the said Planning Act, you are hereby required within **5 days** of the date of this Enforcement Notice, to take the following step:

1. Cease all internal and external construction works pertaining to the development of the block of 51 dwelling house units, (Structure no. 16).

PART B:

In accordance with the respective provisions of Section 154 (5) (a) (i) and Section 154 (5) (b) of the Planning and Development Act 2000 (as amended), you are hereby required within **16 weeks** of the date of this Enforcement Notice, to take the following steps:

1. Cease the use of each of the respective 14 number two-storey dwelling houses that constitute the singular residential block (Structure no. 12) for residential occupation purposes.
2. Demolish in full each of the said respective 14 number two-storey dwelling houses (Structure no. 12) including the foundations of those structures.
3. Demolish in full, each of the said respective 51 number dwelling house units (Structure no. 16), to include the demolition/removal of;
   (a) The foundations of each of those structures.
   (b) The retaining wall that forms the lower part of the rear/northern wall of that block of dwelling houses.
4. Remove all waste materials, objects and items generated by the carrying out of full compliance with directional step numbers 2 and 3, from the curtilage of the subject land holding known as 'Kippure Estate'.
5. Restore in so far as is practical, the respective physical character of the ground areas of the subject site encompassed by the said respective developments of the said residential blocks referenced herein as; Structure no. 12 and Structure no. 16; to the condition such areas were in, prior to the commencement of those unauthorised development features, by:
   (a) The restoration of the south orientated sloped landscape profile of that part of the subject site by backfilling the excavated ground areas with a mixture of soil and stones.
   (b) The sowing of a vegetation cover of grass/plants/scrubs/trees on the said reinstated sloped landscape profile.

Please note: -

(A) That if within the period specified above, or within such extended period as the Planning Authority may allow (not being more than 6 months), the steps specified above are not taken, (i) the Planning Authority may enter on the land and take such steps, including the removal, demolition, or alteration of any structure, and may recover any expenses reasonably incurred by them in that behalf, and (ii) you may be guilty of a criminal offence.

(B) The Planning Authority will require that you refund to the Planning Authority the costs and expenses reasonably incurred by the authority in relation to the investigation, detection and issue of the ENFORCEMENT NOTICE, and any warning letter under Section 152 of the Act, including costs incurred in respect of the remuneration and other expenses of employees, consultants and advisors, and the Planning Authority may recover these costs and expenses incurred by it in that behalf.

(C) Section 154 (7) states that any expenses reasonably incurred by the Planning Authority, including these referred to in A and B above may be recovered: -

(a) as a simple contract debt in any court of competent jurisdiction from the person or persons on whom the notice was served

or

(b) secured by: –

(i) charging the land under the Registration of Title Act 1964

or

(ii) where the person on whom the enforcement notice was served is the owner of the land, an instrument vesting the ownership of the land in the authority, subject to a right of redemption by the owner within five years.

Richella Wood

RICHELLA WOOD
ADMINISTRATIVE OFFICER
PLANNING ENFORCEMENT

Wicklow County Council
Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

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Suíomh / Website: www.wicklow.ie

By Registered and Ordinary Post

26th May 2024

ENFORCEMENT NOTICE SECTION 154 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

Enforcement Notice Number 2:

Re; UD5239: Unauthorised development, consisting of the carrying out of the following developments within the curtilage of the site of Kippure Lodge and Holiday Village, Kippure Estate, Manor Kilbride, Blessington, Co. Wicklow, W91VE04 [include in part within Folio WW3430F] without authorisation by planning permission(s):

Category A: Buildings and ancillary concrete-paved hard standing areas/yards and tarmacadam surfaced roadways.

- **Structure no. 1: The new Gate Lodge pre-fabricated building.**
- **Structure no. 2: A mixed use compound for the parking of machinery, provision of residential and education services, including a concrete surfaced yard for storage of materials, and the storage and parking of vehicles, located to the north-north-west of the Holiday village in the central area of Kippure Estate.**
- **Structure no. 3: A pitched roof out-building storage shed on the southern boundary of the said compound.**
- **Structure no. 4: Flat concrete roofed electricity plant building in the south-western corner of the said compound.**
- **Structure no. 5. Lean-to storage out-building on the western boundary of the said compound.**
- **Structure no. 6: Mixed use two storey storage, education and residential metal sheeted building on the northern boundary of the said compound.**
- **Structure no. 7: Concrete and tarmacadam roadways with footpaths in the northern part of this overall site, serving structure numbers 2,3,4,5 6 and 8/9.**
- **Structures numbers 8 and 9: A wooden clad communal canteen/dining building with an ancillary green coloured shed to the rear/north positioned to the north of the curtilage of Kippure Lodge and Holiday Village.**

- Structures number 10: The development hard standing concrete surfaced areas adjoining the southern and western elevations of the 'Belfry' building (Structure no. 10) that are used for recreation and access purposes.
- Structures no. 16: A block of 51 dwelling units in the south-central part of the holiday village, incorporating; a mass concrete retaining wall as the ground floor section of the rear/northern wall of that block of houses, together with an extensive concrete foundation slab extending eastwards abutting the said retaining wall.
- Structure no. 18: A chapel style building with concrete surfaced access pathways, adjacent to the River Liffey, the usage of which has yet to commence.
- Structure no. 19: Ancillary lean-to concrete roofed small stone masonry clad toilet building adjacent/ancillary to the said chapel building, the usage of which has yet to commence.
- Structure no. 20: A new stone masonry pedestrian bridge with mass concrete spans and side railings which replaced a former wooden footbridge bridge.
- Structure no. 21: Preparatory works (in the form of the construction of masonry block plinth attached to the base of circa 13 dwelling house bays at the western end of Structure No. 16) for the construction of a new hard surfaced roadway to the south of Structure No. 16, between Structure No. 16 and the blocks of 14 holiday homes permitted by the grant of planning permission under PRR 04/1945 of the 4th of October 2005.

Category B: Material alterations to the respective external built characters of two existing 2 storey buildings in the central part of Kippure Holiday Village.

- Structures number 10: Material external structural alterations to the built character of the 'Belfry' administration building including the construction of a two storey extension to its western elevation.
- Structure no. 13: Alterations to the character of each of the four external elevations of the former Administration/function building positioned to the east of the 'Belfry' building', involving the attachment of wooden cladding finishes to cover the entire façade areas of its four external elevations respectively.

Category C: Ground works including the development of three designated multi bay vehicular parking areas and the deposition of mounds of soil/stones/boulders.

- Structures no. 14: The development and use of two neighbouring multi-bay vehicular hard-surfaced vehicular parking areas located on the respective south-eastern (adjoining the 'Belfry' administration building) and south-western boundaries of a cross-roads junction in the central part of this site.
- Structure no. 15: A multi-bay vehicular parking hard core surfaced area to the north-east of the curtilage of Kippure Village, adjoining afforested areas to the north and east and the current use thereof for the parking of plant machinery.
- The deposition of extensive mounds of stones and boulders to and open area of land to the south of Structure no. 15.
- The deposition of extensive quantities of soil-stones mixed with boulders in an open area of ground enclosed by tree cover in part of the northern area of this site to the rear of the built environment of Kippure Village.

Take Notice that Wicklow County Council, being the Planning Authority for the area in which the lands referred to in the above heading are located and having investigated the matter in accordance with the provisions of Sections 152-154 of the Planning and Development Act 2000 (as amended), has for reasons outlined in the attached cover letter, decided to serve this Enforcement Notice on you as one of the parties listed in that letter; regarding features of unauthorised development set out in the above heading.

In accordance with the respective provisions of Section 154 (5) (a) (i) and Section 154 (5) (b) of the Planning and Development Act 2000 (as amended), you are hereby required within **14 weeks** of the date of this Enforcement Notice, to take/complete in full each of the respective steps outlined under the three respective **categories of unauthorised developments** set out hereunder:

Category A: Buildings and ancillary concrete-paved hard standing areas/yards and tarmacadam surfaced roadways.

1. Cease the respective forms of usage of each of the structures referenced under 'Category A' sub-heading of the heading of this Notice and not to commence use of Structure numbers 18 and 19.

2. Demolish and remove the extensive concrete foundation slab and its adjoining mass concrete retaining wall to its rear/north, which forms part of Structure no. 16.

3. Demolish-dismantle-remove in full structure numbers; 1, 2, 3, 5, 6, 7, 8, 9,10,11,18,19,20 and 21; including any foundations/sub ground level structural parts of those respective buildings/roads/footpaths/concrete surfaced and paved areas.

4. Remove all waste materials, objects and items generated by the carrying out of full compliance with directional step numbers 2 and 3, from the curtilage of the subject land holding known as 'Kippure Estate'.

5. Restore in so far as is practical, the respective physical character of the ground areas of the subject site affected by each of those respective structures to their respective pre-development conditions.

6. Demolish and remove the masonry block plinth constructed to the front of Structure 16 and cease / not continue all and any further works of construction associated with the development of a new roadway (Structure no. 21) south of Structure No. 16, between Structure No. 16 and the blocks of 14 holiday homes permitted by the grant of planning permission under PRR 04/1945 of the 4th of October 2005.

Category B: Material alterations to the respective external built characters of two existing 2 storey buildings in the central part of Kippure Holiday Village.

7. Cease the on-going retention of the material structural alterations to the built character of the two buildings described as 'Structures numbers 10 and 13' referenced under 'Category B' sub-heading of the of the heading of this Notice, including the two storey extension to building no. 10 (the Belfry building).

8. Carry out structural remedial alteration works to Structure number 10 (Belfry Building) including the demolition of the two storey extension to its western elevation for the purpose of substantially restoring its built character (footprint area, design, arrangement of its external window, door, roof elements including the removal of its external masonry stone cladding) to match in so far as is practical its built character that existed, prior to the commencement of the alteration and extension works to this building in and around

2022, that are depicted in photograph numbers 1 and 2 inclusive from May 2017, in Appendix A appended to this Notice.

9. Carry out the structural alteration works to each of the entire façade areas of the external elevations of 'Structure number 13'; comprising the removal of the existing wooden panelling thereon for the purpose of restoring the built character thereof to the smooth render character that is depicted in photograph numbers 2 to 5 of that building inclusive from May 2017, in Appendix A appended to this Notice.

Category C: Ground works including the development of three designated multi bay vehicular parking areas and the deposition of mounds of soil/stones/boulders.

10. Cease each of the respective four types of land-uses referenced under 'Category C' sub-heading of the heading of this Notice

11. With regards to; Structure no. 14 (two neighbouring multi-bay vehicular hard-surfaced parking areas):

    (a) Remove the tarmacadam hard surface layer from the more easterly of these two adjoining multi-bay vehicular parking areas and restore its enclosed surface area to a green field condition.
    (b) Remove the hard core surface layer from the more westerly of these two adjoining multi-bay vehicular parking areas and restore its enclosed surface area to a green field condition.

12. With regards to; Structures no. 15: A multi-bay vehicular parking hard core surfaced area to the east of the curtilage of Kippure Village, adjoining an afforested area.

    (a) Remove the hard core surface layer from the entire surface of this area and restore all parts of this sub-site area to a green field or wooded character.

13. With regards to: The deposition of extensive mounds of stones and boulders in and open area of land to the south of Structure no. 15.

    (a) Remove all mounds of deposited stones and boulders from this area and desist from depositing-dumping them on any other part of the subject site/lands of Kippure Estate.

14. With regards to: The deposition of extensive quantities of soil-stones mixed with boulders in an open area of ground enclosed by tree cover in part of the northern area of this site to the rear of the built environment of Kippure Village.

    (a) Substantially remove all quantities of deposited mounds of soil/stones/boulders deposited in this field type landscape and restore that field area to a green-field condition.

Section D: Regarding the proposed development (Structure 21) of a hard surfaced roadway on the strip of ground between 'Structure 16' and the permitted blocks of 14 holiday homes permitted by the grant of planning permission under PRR 04/1945.

An inspection by planning officers on the 23rd of May 2024 noted how preparatory works for the development of a new hard surfaced roadway of this nature were under construction in the form of the construction of a 3-4 course 'plinth' of masonry solid concrete blocks, designed to form a side boundary vertical support structure for this new roadway construct. In the opinion of the Planning Authority a hard surfaced roadway of this nature comes within the statutory meanings of 'works' and 'development' as set out respectively in Section 2(1) and 3(1) of the Planning and Development Act 2000 (as amended). In accordance with the provisions of Section 32(1) of that Act, it is considered that this proposed roadway development requires authorisation by planning permission because it is deemed not to come within the meaning of 'exempted development' set out in Section 4(3) of that Act. In the absence of such statutory authorisation, this development including the said 'plinth type wall', is deemed to come within the meaning of 'unauthorised development' set out in Section 2(1) of that Principal Planning Act. This partially constructed proposed development is within the context of the broader extensive range of unauthorised developments on the subject site, is deemed to be degree and significance that warrants inclusion within the appended Enforcement Notice No. 2.

Please note:

The onus is on the recipients of the attached Enforcement Notice/and their assigns, to ensure that the works specified in the attached Enforcement Notice, are carried out in accordance with other relevant current legislative codes including waste management, roads and health-safety legislation.

Please note: -

(A). That if within the period specified above, or within such extended period as the Planning Authority may allow (not being more than 6 months), the steps specified above are not taken, (i) the Planning Authority may enter on the land and take such steps, including the removal, demolition, or alteration of any structure, and may recover any expenses reasonably incurred by them in that behalf, and (ii) you may be guilty of a criminal offence.

(B) The Planning Authority will require that you refund to the Planning Authority the costs and expenses reasonably incurred by the authority in relation to the investigation, detection and issue of the ENFORCEMENT NOTICE, and any warning letter under Section 152 of the Act, including costs incurred in respect of the remuneration and other expenses of employees, consultants and advisors, and the Planning Authority may recover these costs and expenses incurred by it in that behalf.

(C) Section 154 (7) states that any expenses reasonably incurred by the Planning Authority, including these referred to in A and B above may be recovered: -

(a) as a simple contract debt in any court of competent jurisdiction from the person or persons on whom the notice was served

or

(b) secured by: –

(i) charging the land under the Registration of Title Act 1964

or

(ii) where the person on whom the enforcement notice was served is the owner of the land, an instrument vesting the ownership of the land in the authority, subject to a right of redemption by the owner within five years.

Richella Wood

RICHELLA WOOD
ADMINISTRATIVE OFFICER
PLANNING ENFORCEMENT

WICKLOW COUNTY COUNCIL
Planning Department

TO:	**FERGAL KEOGH SE, EDEL BERMINGHAM, SEP**
FROM:	**FIONA CUMMINS, ASSISTANT PLANNER**
REF:	**17/352**
NAME:	**KIPPURE LODGE LTD.**
DEVELOPMENT:	**CONSTRUCTION OF A REPLACEMENT DORMER STYLE BUILDING IN PLACE OF THE SECTION OF THE ORIGINAL BUILDING WHICH WAS BURNT DOWN IN JUNE 29TH 2016. PERMISSION IS ALSO SOUGHT FOR ALTERATIONS TO THE ORIGINAL DESIGN LAYOUT OF THE SECTION OF THE OVERALL BUILDING, ELEVATIONAL ALTERATIONS, THE CONSTRUCTION OF A SINGLE STOREY KITCHEN EXTENSION TO THE REAR, THE CONSTRUCTION OF AN OPEN CANOPY ABOVE THE EXISTING ENTRANCE DOORSOVER THE EASTERN FAÇADE OF THE EXISTING TWO STOREY SECTION WHICH WAS UNDAMAGED IN THE FIRE, RELOCATING THE FRONT ENTRANCE DOOR TO THE EXISTING TWO STOREY BUILDING, MINOR INTERNAL AND EXTERNAL ALTERATIONS ALL TO THE EXISTING BUILDING.**
LOCATION:	**KIPPURE ESTATE, MANOR KILBRIDE, BLESSINGTON.**
DATE DUE:	**28/05/2017**
SITE VISIT:	**07/05/2017**
SITE NOTICE:	**PRESENT AND IN ORDER**

Planning Permission is being sought for:

- Construction of a replacement dormer style building in place of the section of the original building which was burnt down in June 29th 2016;
- Alterations to the original design layout;
- Elevational alterations from original;
- Construction of an open canopy above the existing entrance doors over the eastern façade of the existing two storey section which was undamaged in the fire;
- Relocating the front entrance door to the existing two storey building;
- Minor internal and external elevational alterations to the existing building.

Planning History:

Previous

There is an extensive planning history associated with this site including:

94/1113 Tadgh O'Cadhain – Permission granted for 14 no. holiday homes & recreation centre to replace existing buildings & extension of farm buildings as equestrian centre.

98/9461 Tadgh O'Cadhain – Permission granted for retention of cottages 9 & 10 and relocate cottages 1 – 6.

99/1150 Kippure Village Ltd. – Permission granted for the retention of conversion of farm building to 2-storey recreation building .

04/1945 Kippure Village Ltd. - Permission granted for an extension of the existing holiday complex involving the construction of 14 no. 2-storey dormer holiday homes (1 no. terrace format and 1 no. semi-detached format) located within the walled garden.

05/2468 Tadgh O'Cadhain Retention permission granted for change of use of part of the existing building (94/1113) from a self catering area to a common room / dining room and wine bar.

05/2792 Kippure Village Ltd - Permission granted for the refurbishment of the existing Belfry Building (197sqm) for use as backup facility for outdoor facilities .

11/4773 Kippure Lodge Ltd – Permission granted for 3 no rooflights on south elevation and 1 no door with two side screens and 1 no window on north elevation Belfry Building.

12/6455 Kippure Lodge Ltd. Retention permission granted for end of terrace 3 bedroom, 2 storey dormer house.

12/6539 Kippure Lodge Ltd. Retention. Revised floor levels and changes to elevations for 14no. two storey houses within walled garden to comply with planning permission 04/1945 at a holiday and adventure centre. Grant.

12/6761 Kippure Lodge Ltd - single storey function room extension to rear of conference and admin building. Materials to match existing, with new roof lights to existing and new roof to a holiday and adventure centre.
Relevant Condition:
2. **No development shall commence on foot of this permission** until the Water and Environmental Services Authority confirms in writing that the Wastewater treatment and disposal system and the water supply, serving both the existing and proposed development, have been installed to their satisfaction.
REASON: To ensure that an adequate water supply and wastewater treatment facility is available to serve the proposed development and in the interests of public health.

Enforcement
There are current enforcement files on this site: UD2926 (non compliance with conditions) and UD3007 (Non-compliance with conditions 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10 of 05/2792).

Following a review of the planning history associated with this site compliance with the conditions attached to PRR 04/1945 and PRR05/2792 appear to remain outstanding and it would appear that written confirmation under PRR12/6761 remains outstanding.

Reports

Dublin City Council Water Services:	No objection to this development from point of view of minimising pollution threats to the raw water in Poulaphouca Reservoir.
Environmental Health Officer:	Report received. A wastewater treatment system to this scale, discharging in excess of 5m3 per day, may require a discharge licence under the relevant Water Pollution Act. Recommended input from Wicklow Co. Co. Environment Section in relation to discharge from the wastewater treatment system and water supply. Recommended further information in relation to staff facilities.
Environment:	Detailed proposals are required to replace wastewater treatment plant with one that is capable

of treating peak and fluctuating wastewater loadings which takes account of groundwater assimilative capacity.

District Engineer: No objection.

Third Party Submissions:
None received.

Planning Policy –

Townland:	Kippure.
CDP Level:	Open Countryside
Settlement Strategy:	Level 10 - The Rural Area
Objective SS8	*To ensure that key assets in rural areas such as water quality and natural and cultural heritage are protected to support quality of life and economic vitality.*
Landscape Category:	Mountain and Lakeshore AONB
Landscape Hierarchy:	Level 1
Landscape Area:	The Mountain Uplands
Landscape Description:	*1(a) - The Mountain Uplands The central mountain upland area extends from the Dublin border in the north of the County at Kippure towards Aughrim in the south and from east of the Glen of Imaal as far as west of Roundwood Village. A key characteristic of this area is mountainous topography with U-shaped valleys, lakes and glacial topography. This area generally relates to lands immediately surrounding and above the 300m+ contour line.*
Mountain Uplands KDC: *10.13(b))*	***5.3.2 The Mountain Uplands KDC (see Appendix 4 Map*** *1. All developments within the Mountain Uplands AONB landscape area shall be accompanied by a detailed justification of the need for the proposed development at this location.* *2. Where development is to be permitted within the Mountain Uplands AONB landscape area a very high standard of siting, design and landscaping will be required in order to ensure that the proposed development will be assimilated into the existing landscape.* *3. To ensure that developments on steep slopes (i.e. 10%) will not be conspicuous or have a disproportionate or dominating visual impact on the surrounding environment as seen from relevant scenic routes and settlements.* *4. To maintain the favourable conservation status of existing natural habitats including Natura 2000 sites (SACs and SPAs) and Annex I-Habitats and Annex II-Animal and Plant species within this Mt.* *Uplands AONB landscape area.* *5. To support and facilitate in co-operation with relevant bodies, the provision of amenity routes within and adjoining the Mountain Uplands AONB landscape area in a manner which does not detract from the scenic nature of the area.*

Views and Prospects:

Prospect ID	18
Origin of View	R759, Sally Gap Road
Description	Prospect extending from Sroughmore to Balysmuttan

Site Details:

Area:	1.555ha (as stated).

e Road:	R759
...eatures:	The subject site is located in a relatively remote area to the east of the large village settlement of Kilbride. The subject site comprises a tourism / recreation development with on site leisure activities and accommodation in the form of holiday houses throughout the site catering to groups of guests for weddings and private parties etc. The site is screened from the public road. The site is served by a large surface parking are close to the entrance of the site. A large marquee was noted located close to this parking area. There is a two storey administrative /bedroom block located to the east of the site which serves as the main reception for the facility. A function room to the rear of this two storey block was in recent years burnt down in a fire. The section of the building which was burnt down has been demolished for health and safety reasons. The Kippure and Athdown forests are located to the rear of the site to the north and north-west. To the south the site overlooks and is located in close proximity to the the Wicklow Mountains SAC and the Wicklow Mountains SPA. The River Liffey runs along the southern boundary of the site.

Details of Proposed Development:

Type:	Replacement function room – dormer style.	
	Gross floor space of existing buildings	343.47sqm.
	Gross floor space of proposed works	528.85sqm

Existing Building

Ground Floor	176.87sqm
First Floor	166.60sqm
Total	**343.47sqm**

This building is to be retained.
Existing Use: Conference and administrative building.
Area to be demolished: 0.0sqm.

Proposed Building

Ground Floor:	542.37sqm.
First Floor:	329.95sqm.
Total	**872.32sqm**
Area of New Works	365.50sqm
First Floor	163.35sqm
Total	**528.85sqm**

Ridge Height:	310.699 matching existing two storey building.
Finished Floor Level:	303.405
Use of structure	
Ground Floor:	Function room, bar, kitchen and toilets at ground floor. Reception and lounge in existing two storey building at ground floor.
First Floor:	No stated use for area above function room having 7 no. proposed dormer windows. Conference, office and bedrooms at first floor of the existing two storey building.

Services (as stated):
Proposed source of water supply: existing connection.
Proposed wastewater management: existing on-site treatment system.
Proposed surface water disposal: watercourse.

Appropriate Assessment

A key Development Consideration is *to maintain the favourable conservation status of existing natural habitats including Natura 2000 sites (SACs and SPAs) and Annex I-Habitats and Annex II-Animal and Plant species within this Mt.Uplands AONB landscape area.* The subject site is located adjacent to the Wicklow Mountains Special area of Conservation and the Wicklow Mountains Special Protection Area. The River Liffey is located to the south of the site and there are a number of feeder streams (River Liffey) within the vicinity of the site. The River Liffey flows in a westerly direction away from Wicklow Mountains but flows into the Poulaphouca Reservoir, which is a designated SPA. Having regard to the scale of the proposed development and the planning history of the site, and its location within an established tourism complex it is unlikely that the proposed development will result in a significant risk to the conservation values of the natura sites. However, the planning authority require satisfaction that the on-site wastewater treatment and disposal system is functioning correctly so that the proposed development it is unlikely to result in a significant risk to the conservation values of the natura sites. It is considered necessary to ensure that the on-site wastewater treatment and disposal systems are working effectively and are adequately monitored and maintained so as to ensure that the conservation objectives of the designated natura sites are protected.

Assessment:

The applicants are seeking planning permission for:

- Construction of a replacement dormer style building in place of the section of the original building which was burnt down in June 29th 2016
- Alterations to the original design layout;
- Elevational alterations from original;
- Construction of an open canopy above the existing entrance doors over the eastern façade of the existing two storey section which was undamaged in the fire;
- Relocating the front entrance door to the existing two storey building;
- Minor internal and external elevational alterations to the existing building.

<u>Principle of the Development</u>

The principle of the development of a function room at this location has been established from the planning history associated with the site therefore the justification of the citing, location, need, size, scale, type of development, parking provision, access etc. have been established.

With regard to the design of the proposed function room it is noted by reference to the plans and particulars relating to PRR 12/6761, it would appear that the front elevation of the original function room did not have dormer windows at first floor level and had a floor to ridge height of c.6m. It is noted from the plans submitted that details of use for the proposed first floor level of the function room have not been provided and is described as "open". The applicant will be requested to submit details in relation to the proposed use of the first floor of the function room.

The proposed front elevation of the new function room proposes 4 no. zinc finish dormer roof windows to the front elevations and proposes a ridge height of c.7.2m. The increase in roof height matches the height of the existing two storey building to the east of the proposed function room. This is considered acceptable. The justification for the need for the alterations from original front elevation including four number roof lights has not been provided. Notwithstanding this, due to the location of the proposed function room clustered amongst a number of existing buildings on the site the design of the proposed which is located in this rural location in an area of outstanding natural beauty is considered acceptable from a visual amenity perspective.

The proposed rear elevation of the new function room proposes 3 no. zinc finish dormer roof windows. Having regard to the planning history it would appear that the design of the original function room had rooflights and dormer windows to the rear elevation, and having regard to the orientation of the rear elevation, the topography of the site and the existing screening available the

proposed dormer roof lights on the rear elevation are considered acceptable from a visual amenity perspective in this rural location in an area of outstanding natural beauty.

The remaining alterations to the design, layout and elevations to the original function room are generally considered acceptable as well as the proposed elevational changes and minor amendments and alterations to the existing two-storey building on the site.

Wastewater treatment system
The report from the environment section is noted which requires detailed proposals to replace wastewater treatment plant with one that is capable of treating peak and fluctuating wastewater loadings which takes account of groundwater assimilative capacity. Further information will be requested accordingly.

Conclusion:
Further Information
Further information is required in order to ensure that a wastewater treatment plant capable of treating peak and fluctuating wastewater loadings which takes account of groundwater assimilative capacity is provided, the overall quantum of floor area of the proposed development is provided to include the size and proposed use of the first floor of the function room.

Recommendation:
Further information Request:

1. It was noted on 7th May 2017 on site inspection that a marquee is erected on the lands which form part of the Kippure Tourism development. This marquee however has no planning permission. Please clarify the status and use of this structure. Note: the planning authority would not be in a position to recommend permission for this development where it would consolidate an unauthorised development.
2. The existing effluent disposal system is not sufficient to cater for the development and other existing developments on the site which it serves. You are therefore requested to submit detailed proposals in relation to the replacement of the on-site wastewater treatment plant with one that is capable of treating peak and fluctuating wastewater loadings which takes account of groundwater assimilative capacity.
3. No details were included with the application in relation to the proposed use of the first floor of the proposed development. In this regard the applicant is requested to submit full details as to the proposed use of the first floor and submit revised plans detailing all uses.

Fiona Cummins
Assistant Planner
17th May 2017

Fiona Cummins

From: Tom Griffin
Sent: 02 January 2018 18:11
To: Fiona Cummins
Subject: RE: Kippure

Fiona,
The condition seems okay, but I have added to it. I think the frequency is too onerous, so I have reduced it. Just to note that one of two boreholes is uphill (upstream groundwater) of percolation area and the other downhill (downstream groundwater) i.e. only one borehole is between the percolation area and the Liffey river.
I would recommend that the installation and commissioning of the new upgraded wastewater treatment plant and additional polishing filter and supervision and certification of same including as constructed drawings, site layout map and photographs should be completed no later than 6 months from the date of grant of permission. The certification including as constructed drawings, site layout map and photographs should be submitted for approval no later than 6 months from the date of grant of permission.
I would also recommend that service contracts of 5 years duration should be entered into with competent firms for the preventative maintenance of the wastewater treatment plant and percolation area/polishing filter and for the monitoring of effluent from the wastewater treatment plant. The frequency and details of maintenance visits of effluent monitoring to be agreed with the Environmental Section of Wicklow County Council. The service contracts should be submitted for approval no later than 6 months from the date of grant of permission.
Regards,
Tom

From: Fiona Cummins
Sent: 02 January 2018 13:25
To: Tom Griffin
Subject: RE: Kippure

Hi Tom,

As discussed, a draft wording.

Fiona.

1. (a) Under condition no. 5 of planning permission 04/1945 two number boreholes were to be installed in the area between the percolation area and the River Liffey. The details of drill log, depth, construction, and water levels of the boreholes should be provided to the Environment Section of Wicklow County Council and confirmed to be fully operational.

   (b) After installation and commissioning of the upgraded waste water treatment system and soil polishing filter the boreholes installed should be sampled and tested initially every ~~two months~~ quarter to obtain baseline data. Parameters to be tested shall be agreed with the Environment Section of Wicklow County Council. The frequency can be reduced to 6 monthly intervals after two years subject to satisfactory test results being obtained. Copies of results shall be forwarded to Wicklow County Council. Where results are unsatisfactory remedial measures should be proposed and works carried out at the expense of the development under the supervision and subject to the agreement of the Environment Section of Wicklow County Council.

   (c) The River Liffey shall be sampled and analysed at points upstream and downstream of the upgraded percolation areas. Sampling and testing shall take place prior to the commencement of any development works and should be tested initially every ~~two months~~ quarter to obtain baseline data. The frequency of sampling can be reduced to yearly ~~six monthly~~ intervals after two years subject to satisfactory results being obtained. Copies of results shall be forwarded to Wicklow

County Council. Where results are unsatisfactory remedial measures should be proposed and works carried out at the expense of the developer under the supervision and subject to the agreement of the Environment Section of Wicklow C Council.

REASON: In the interests of public health.

From: Tom Griffin
Sent: 15 December 2017 16:08
To: Fiona Cummins
Subject: FW: Kippure planning queries

Fiona,
In relation to the marquees/kitchen retention application 17/1335 please see below comments. I am satisfied that that figures are included in the wastewater flow/strength measurements/population used in the design of upgraded wwtp under planning application 17/352. In relation to application 147/1335, I would recommend that a condition should be attached requiring the installation of an appropriate sized passive grease removal separator designed in accordance with IS EN 1825 Part 1 and Part 2 on the kitchen wastewater line from the Marque kitchen. The grease separator shall be installed, inspected and emptied as per manufacturer's instructions. The calculation of the appropriate sizing of the separator and supervised installation shall be certified by a competent person to conform to IS EN 1825 Part 1 and Part 2. Records of the inspections and emptying of the grease separator shall be made available and submitted upon request. In relation to 17/352, I am considering Jonathan's report and will forward it soon.
Regards,
Tom

From: Jonathan Sexton
Sent: 15 December 2017 15:03
To: Tom Griffin
Subject: Kippure planning queries

Tom,

1. No individual flow figures or calculations included for total flow figures for the period 5th Aug to 8th September of 1066 m3.
   Only reference is in Robert Meehan Site Characterisation report Nov 17 -Section 1.0 (page 3) and Robert Meehan Tier 3 Hydrogeological Report - Section 4.1 (page 14).

2. No reference to the Marque in the documents, but plant design based on day and overnight visitor numbers by Mitchell Env.
   Also flow measurement of 1066m3 over 34 days gives average flow of 31,352l/day. This is presumably while Marque in use, as they are applying for retention.

Kind regards,

Jonathan Sexton | Executive Scientist | Water and Environmental Services | Wicklow County Council | County Buildings, Station Road, Wicklow

Tel: 0404 20100 | Email: jsexton@wicklowcoco.ie | Web: wicklow.ie

Please consider the environment before printing this email

F. Keogh 80 Planning
Noted & Approved

WICKLOW COUNTY COUNCIL
MEMO

From: Jonathan Sexton
Exec. Scientist

To: Tom Griffin
Sen. Exec. Chemist

Date: 13/12/17

15/12/17

RE: 17/352 Kippure Lodge Limited – Upgrade Wastewawter Treatment

FI was sought and received 17/11/17

Summary FI

- Drinking Water from a well 275m up gradient of discharge location.
- Surface water to ditch
- Internal roads drain to unknown.
- Current wastewater plant designed to 160PE (FM systems with 2x10m3 primary tanks, aeration media and 8m3 pump chamber. This can handle a max discharge of 24,000l or 24m3 (160PE x 150l).
- Existing wastewater loading estimated by Mitchell Env from monthly occupancy figures (Sept) = (1,145 overnight x 200L = 229,000L) + (3151 daytrips and 701 staff x 60L= 231,120) = 229,000+ 231,120= 460,120L. divide by 30 days in Sept = 15,337m3 avg.
- WWTP Hydraulic designed for 31m3 = 207PE (207*150=31,050/day)
- Measured flow = hydraulic loading over 34 days in Aug & Sept 2017 = 1066m3 / 34 days = avg of 31.35m3.
- Organic load estimated by Mitchell Env at 180 Hotel meals x60g = 10800g BOD and 200 restaurant catering x15g = 3000g BOD and 70 function room meals at 10g = 700g and 30 toilet visits @ 12g BOD= 10800+3000+700+360= 14860g BOD = 14860/60g/person = 248PE BOD
- 24hr composite sample in April = avg 634mg/l BOD = 0.634g x 31,350L = 19,876g/day. 19,876g/60g/person = 331PE load for BOD.
- 7day composite sample in Sept = avg BOD 400mg/l = 0.4g/l x 32,350L = 12540g/day. 12540/60g/person = 209 PE load for BOD
- WWTP Ammonia load design calcs by Mitchell Env = 2190g /8g/l Amm/person = 274PE Ammonia
- 24hr composite sample in April = avg 85mg/l Amm = 0.085g x 31,350L = 2665g/day. 2665g/8g/person = 333PE load for Amm as N.
- 7 day composite sample in October = avg 73.7mg/l Amm = 0.073g x 31,350L = 2310g/day. 2310g/8g/person = 289PE load for Amm as N.
- Proposed to upgrade and add onto existing plant to provide 2 No. 20m3 primary Tanks, 4 no. Oakstown SBAF 20m3 tanks for reactors, clarifiers and discharge. Anoxic stage to reduce Nitrates. Bio Filter media sized for both BOD and Ammonia removal. Designed for 207 Hydraulic PE, 248 BOD PE and 278 Amm as N PE.
- Site Characterisation 08/11/17: water table >2.1m blg, No motling, Sandy loam to 0.4m, Black organic loam to 1m, 4 threads, Brown silty Sand to 2.1m. No GW encountered. High vuln, Poor Aq, R1, Target =GW, T at 0.8m blg = 13.7, P at 0.4m = 16.9, secondary WWTP proposed with 0.9m unsaturated subsoil underneath, Performance of WWTP BOD 15, SS 15, Amm 5, TN 20, TP 10.
- Discharge to ground via 1600m2 (31,000 l/20l = 1600m2) soil polishing filter sized for 20/l/m2 due to T <20 as per CoP. Existing trenches = 880m2. Proposed pressurised soil polishing filter = 55m X 14m = 660m2. 660 + 880 = 1540m2 *20 = 30,800 l per day.
- Total width of two infiltration areas perpendicular to Groundwater Flow Direction = 85m
- Tier 3 assessment indicates discharge will be evenly spread over 1600m2 soil polishing filter. Subsoil is well drained mineral soil derived from granite with good absorption properties. Subsoil is estimated to be between 3 and 5 meters deep under the soil polishing filters. Water table in up-gradient borehole was 4m blg, indicating at least 3 meters of unsaturated subsoil. This should provide good kill-rate for bacteria. Ground slopes towards Liffey 120m down-gradient. Majority of groundwater expected to flow in

Transitional zone (top 3-5 m) of Granite bedrock, moving rapidly towards Liffey River, with a smaller portion seeping through fissures and going deeper into the bedrock.

- Checks on the assimilative capacity of the groundwater under the infiltration area and the Liffey River subsequent to receiving mixed effluent and groundwater indicate there is assimilative capacity in both.
- There are no drinking water wells down-gradient of the discharge. The drinking water well on the site is 275m up-gradient of the infiltration area is not at risk due to the separation distance, slope and the nature of the bedrock.

Conclusions

- Tier 3 hydrogeological assessment indicates assimilative capacity in the receiving groundwater and in the Liffey River downstream of where the groundwater will connect.
- There are no abstraction down-gradient of the discharge.
- The proposed Wastewater treatment system is sized according to recorded visitor numbers and wastewater loadings according to EPA CoP for small businesses. I would prefer the treatment plant to be sized according to measured peak flows and nutrient loadings, as these are higher than that proposed. I have recommended this in Condition 2 below.

Recommendation

Based on the information submitted I recommend granting permission subject to the following conditions:

Wastewater

1. **Grease Removal Unit(s)**
   Submit a certificate from a suitably qualified person to demonstrate that, prior to the wastewater treatment system, a grease removal unit(s) has been sized and installed in accordance with (i) I.S. EN 1825 - Parts 1 & 2 for Grease Interceptors or (ii) Plumbing and Drainage Institute (PDI) G101 for Grease recovery units.
   REASON: To ensure grease generated from food preparation areas does not enter the wastewater treatment system.

2. **Wastewater Treatment System –Certification**
   The effluent disposal system shall be appropriately designed to handle peak loads measured for the site and shall be laid out as proposed and to the specification of Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10), Code of Practice, published by E.P.A 2009.

   In particular, the construction of the soil polishing filter shall conform to the specifications set out in Table 10.1 of the Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10), Code of Practice, published by E.P.A 2009. Photographic evidence of the installation of the secondary wastewater treatment system and the soil polishing filter shall be submitted on completion of the system. A certificate from a Chartered Engineer, Environmental Health Officer, or Hydrogeologist, (with professional indemnity insurance) shall be submitted to the Planning Authority, stating that the effluent disposal system has been installed in accordance with this condition.
   REASON: To ensure the provision of an adequate sewage disposal system, in the interests of public health and residential amenity.

3. **Wastewater Treatment System –Discharge Licence**
   The applicant must obtain a discharge licence from Wicklow County Council authorising the proposed wastewater discharge to ground.
   Reason: The proposed wastewater discharge deemed to be licensable under the Water Pollution Act.

4. **No Surface Water to WWTP**
   No surface-water or roof-water shall enter the wastewater treatment System.
   REASON: To ensure proper operation of the wastewater treatment system.

Jonathan Sexton
Executive Scientist
Water & Environment

Discharges to Groundwater Calculations

Kippure Lodge Ltd

Background:

This workbook was created by Lorraine Gaston and Henning Moe of CDMSmith and Jenny Deakin as part of the Discharges to Groundwater training course. It is based on a spreadsheet developed originally by the Environment Section in Wexford Co. Council.

The purpose of the workbook is to assist the user in calculating the resulting concentrations of contaminants from onsite waste water treatment systems in groundwater and nearby surface water resources. The workbook is to be used in conjunction with the 'Guidance on the Authorisation of Discharges to Groundwater' document published by the Environmental Protection Agency. This guidance is available from the EPA website at www.epa.ie

The spreadsheet carries out the dilution calculations based on site specific data that is entered by the user.

Instructions for use:

1. Users enter case specific data into cells in the spreadsheet which are coloured blue

2. The spreadsheet carries out background calculations in cells with no colour

3. The results/answers are presented in cells which are coloured yellow

3. It is recommended that the default values, e.g. for the quality of rainfall, are not changed unless the user has site specific data

Version tracking

This version of the workbook was released on 30th March 2012

Version No	Date Created	Created By	Description of changes made
1	30-Mar-12	CDM and Jenny Deakin	New workbook
2	28-Mar-13	Jsexton Wicklow Co Co	Changed Horizontal flow units to match vertical flow units in Resulting GW concentration sheet
			Changed load reduction figures for sub-soil using values from published studies to 90% reduction for BOD
			Changed load reduction for Ammonia to 95% based on EPA lit review of Soil filters and on Clay/silt subsoil
			Changed loading for Nitrate to 40% based estimates for Granite derived tills with good denitrifying properties

HYDRAULIC LOADING (Q_{in})

Q_{in} has two components: effluent ($Q_{in}E$) and natural recharge ($Q_{in}R$)

Effluent discharge volume (m^3/day)	32	m^3/d	$Q_{in}E$	User specified
Percolation area (m^2)	1600	m^2	A	User specified
Rainfall per year (mm/yr)	1455	mm/yr	Met Blessington	User specified
Potential evapotranspiration (mm/yr)	475	mm/yr	GSI	
Actual evapotranspiration (mm/yr)	451.25	mm/yr	GSI	Calculated
Potential recharge (mm/yr)	1003.75	mm/yr		
Recharge coefficient	0.6	unitless	GSI	User specified
Estimated recharge from rainfall (mm/yr)	602.25	mm/yr		Calculated
Estimated recharge from rainfall (m/d)	0.00165	m/d		
Estimated recharge volume from rainfall over percolation area (m^3/d)	2.64	m^3/d	$Q_{in}R$	Calculated
Total hydraulic loading to groundwater over percolation area (effluent discharge plus natural recharge) (m^3/d)	34.64	m^3/d	Q_{in}	Calculated

CHEMICAL COMPOSITION OF HYDRAULIC LOAD (C_{in})

C_{in} has two components: effluent ($C_{in}E$) and natural recharge ($C_{in}R$)

Effluent Quality ($C_{in}E$)			Rainwater Quality ($C_{in}R$) - Default values			
BOD	25	mg/l	BOD	0.01	mg/l	User specified
NH_3-N	10	mg/l	NH_3-N	0.1	mg/l	
TP-P	10	mg/l	TP-P	0.01	mg/l	
MRP-P	15	mg/l	MRP-P	0.01	mg/l	
TN-N (avg TN figure for secondary)WWTPs	25	mg/l	TN-N	0.1	mg/l	
NO_3-N (un-confirmed average for Biodisc plant)	20	mg/l	NO_3-N	0.1	mg/l	
NO_2-N	1	mg/l	NO_2-N	0.05	mg/l	

Note: C_{in} rainwater = concentrations of chemical constituents in natural recharge

CHEMICAL LOADING TO GROUNDWATER ($Q_{in} \times C_{in}$)

Two terms:

$Q_{in}E*C_{in}E$

$Q_{in}R*C_{in}R$

Therefore, total Chemical Loading to Groundwater ($Q_{in}*C_{in}$): sum of ($Q_{in}E*C_{in}E + Q_{in}R*C_{in}R$)

Parameter (mg/l)	Chemical Loading		Load Reduction*		Final loading		
BOD	800026	mg/d	90	%	80003	mg/d	User specified
NH_3-N	320264	mg/d	95	%	16013	mg/d	
TP-P	320026	mg/d	95	%	16001	mg/d	
MRP-P	480026	mg/d	95	%	24001	mg/d	
TN-N	800264	mg/d	40	%	480158	mg/d	
NO_3-N	640264	mg/d	40	%	384158	mg/d	
NO_2-N	32132	mg/d	95	%	1607	mg/d	

** Note: a load reduction factor may apply to a given site - see Appendix D, specifically Tables D5 and D6 - calculated loading may be reduced accordingly*

Note: unit conversion to get to mg/d from m^3/d and mg/l is multiply sum of terms by 1,000 (1 m^3 = 1,000 l)

INFILTRATION CAPACITY (Inf = Q_{in}/A; or A = Q_{in}/Inf)

1. Infiltration capacity (Inf) that needs to be field verified: 21.65 mm/d for an area of 1600 m^2 — Calculated

OR

2. Percolation area (A) required for a given infiltration rate

Infiltration rate: 20.00 mm/d — Area: 1732 m^2 — User specified

RESULTING GROUNDWATER CONCENTRATION - resulting from a discharge to groundwater activity

$C_{gw} = [(C_{in} * Q_{in}) + (C_{gwu} * Q_{gw})]/(Q_{in} + Q_{gw})$

C_{gw} = resulting concentration in groundwater beneath percolation area after mixing/dilution in groundwater
$C_{in} * Q_{in}$ = vertical chemical loading to groundwater - from worksheet "vertical components"
C_{gwu} = upgradient concentration of chemical in groundwater (upgradient of percolation area)
Q_{gw} = flow rate through aquifer beneath percolation area - from worksheet "horizontal components"
Q_{in} = total vertical hydraulic loading - from worksheet "vertical components"

Cin*Qin	BOD	80003	mg/l		From worksheet "vertical components"
	NH_4-N	16013	mg/l		
	TP-P	16001	mg/l		
	MRP-P	24001	mg/l		
	TN-N	480158	mg/l		
	NO_3-N	384158	mg/l		
	NO_2-N	1607	mg/l		
Cgwu	BOD	2	mg/l	presummed	User specified
	NH_4-N	0.011	mg/l	Up-gradient one off sample	
	TP-P	0.025	mg/l	Up-gradient one off sample	
	MRP-P	0.013	mg/l	Up-gradient one off sample	
	TN-N	2	mg/l	estimate based on Arm	
	NO_3-N	0.86	mg/l	Up-gradient one off sample	
	NO_2-N	0.005	mg/l	Up-gradient one off sample	
Qgw		85.51	m^3/d		From worksheet "horizontal components"
Qin (total)		34.84	m^3/d		From worksheet "vertical components"

Parameter (mg/l)	C_{gw}		GW Threshold	DW Regs	
BOD	2.09	mg/l			
NH_4-N	0.14	mg/l	0.065/0.1725	0.23	
TP-P	0.15	mg/l			
MRP-P	0.21	mg/l	0.035	3.36	
TN-N	5.4	mg/l			
NO_3-N	3.8	mg/l	8.5	11.3	as N
NO_2-N	0.02	mg/l	0.09	0.15	as N

Calculated Note
straight calculation yields C_{gw} in mg/m^3, hence, result is divided by 1,000 to give mg/l

Presumed Liffey River is the main receptor following mixing of effluent with shallow groundwater in Transitional Zone of bedrock

HORIZONTAL FLOW RATE (Q_{gw})

Data Inputs

Groundwater gradient		unitless		
OR calculate gradient				
Upgradient water level	287	mOD		
Downgradient water level	273	mOD		User specified
Distance between water levels	167	m		
horizontal hydraulic gradient (i)	0.0838	unitless		Calculated
Hydraulic conductivity (K)	4.00	m/d	Note - sometimes referred to as "permeability"	
Thickness of aquifer (b)	3	m		User specified
Width of percolation area (w) if known	85	m	Note - width relative to flow gradient/direction	
OR estimated from area			If GW flow direction not known, leave blank	
Width of percolation area (w) estimated		m		Calculated
Cross sectional area of aquifer (A)	255	m^2		Calculated
Flow through aquifer beneath percolation area: Q_{gw}= K*i*A			**85.51** m^3/d	Calculated

GROUNDWATER FLOW VELOCITY (v)

Groundwater flow velocity (v)	**$v = (K*i)/n_e$**			
n_e = effective porosity	0.01	unitless	Note - see suggested values below	User specified
Groundwater flow velocity (v)			**33.53** m/d	Calculated

n_e is user specified
Assume to be:
0.01 in fractured bedrock aquifer
0.1 in sand and gravel aquifer

1 Waterbody details

Water Body Name	Liffey River
Water Body Code	Liffey_10
Water Body Ecological Status	Good
Status Derated Y/N	N
Good by	2015
No. of point source discharges d/s	0
Water Hardness mg/l CaCO3	9

License Details

WPL No.	App
Name	Kippure Lodge Limited
Address	Kippure Estate
Discharge	

2 Flow Details

Flow of Discharge and Groundwater combined	M3/day	120.15	M3/sec	0.001391
95% Flow Conversion Receiving Water (EPA Hydro Est Tool)	M3/day		M3/sec	0.102

3 Mass Balance Calculations & % Headroom

	Avg	Assumed (	Assumed (	Avg	Avg	Avg	Avg
Regulation							
Type of limit	95%	MAC	MAC	95%	95%	95%	95%
Limit in receiving water (mg/l)	2.6	10	25	0.075	0.14	2.7	0.0151
Parameter	**BOD**	**COD**	**SS**	**MRP**	**Amm**	**TON**	**Nitrite**
95% Flow at Discharge location (m3/Sec)	0.102	0.102	0.102	0.102	0.102	0.102	0.102
Average Concentration in receiving water (mg/l)	**0.75**	**7.0**	**5.0**	**0.018**	**0.018**	**0.07**	**0.006**
Max. Groundwater Flow (m3/Sec)	0.001391	0.001391	0.001391	0.001391	0.001391	0.001391	0.0013906
Max. Concentration in Groundwater (mg/l)	2.09	20	5	0.21	0.14	3.81	0.02
Kg/day	0.251	2.403	0.601	0.0251	0.0170	0.46	0.0020
Resulting Concentration downstream Discharge(mg/l)	**0.77**	**7.2**	**5.0**	**0.020**	**0.020**	**0.12**	**0.006**
Headroom (mg/l)	1.85	3.0	20	0.0577	0.1221	2.63	0.009
% Headroom Used	1	6	0	5	1	2	2

Assumed and Adjusted Limit Calculations

	Limits	Limits	Assumed	Assumed	Adjusted
	High	Good	High	Good	Good
	95%	95%	95%	95%	95%
BOD	2.2	2.6	2	2.4	2.4
MRP	0.045	0.075	0.03	0.06	0.06
Amm	0.09	0.14	0.065	0.115	0.115

Note:

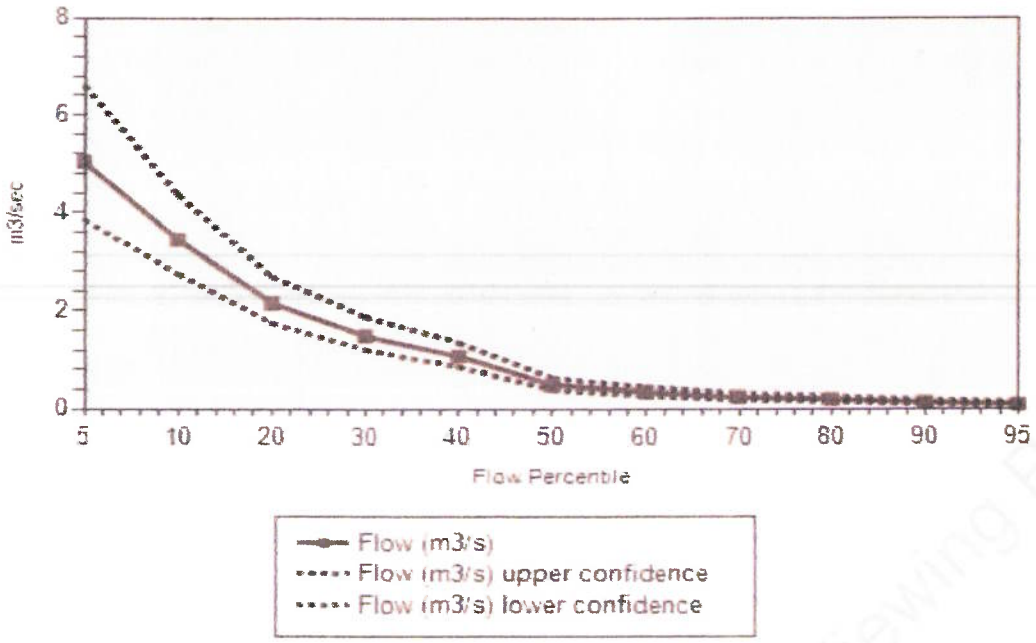
1 Pl Granite Aquifer. Pressume Tranzitional Zone in top 3 mters taking 95% of Flow

2 Assuming groundwater connection to Liffey River 120 downgradient and not taking any further attenuation or dilution after polishing filter and subsoil.

Liffey River 2km SW of Sally Gap

EntityNam	StationNur	StationLoc	SamplePur	SampleLat	SampleDate	Northing	Easting	Alkalinity	Ammonia	BOD	Colour	Conductiv	Dissolved	Dissolved	Hardness	Nitrite(N)	Ortho-pho	pH	Temperatu	Total Oxid
LIFFEY	2 km N.W.	100	WFD Oper	13530376	17/01/2013	212757	310987	7	0.02	0.8	120	32	100	12.5	7	0.004	0.013	3.76	4.1	0.09
LIFFEY	2 km N.W.	100	WFD Oper	13530429	17/04/2013	212757	310987	4	0.007	0.4	118	27	102	11.6	6	0.007	0.009	3.88	7.8	0.094
LIFFEY	2 km N.W.	100	WFD Oper	13530526	09/05/2013	212757	310987	8	0.017	1.2	156	29	100	11.5	11	0.006	0.015	4.18	6.5	0.08
LIFFEY	2 km N.W.	100	WFD Oper	13530990	10/07/2013	212757	310987	8	0.015	0.7	205	31	98	9.2	4	NT	0.026	6.44	17.1	0.07
LIFFEY	2 km N.W.	100	WFD Oper	13531396	18/09/2013	212757	310987	6	0.011	1	297	32	100	11.1	9	0.007	0.022	3.71	9.1	0.09
LIFFEY	2 km N.W.	100	WFD Oper	13532023	14/11/2013	212757	310987	9	0.017	0.7	260	33	100	12.2	14	0.006	0.023	4.61	5.7	0.072
LIFFEY	2 km N.W.	100	WFD Oper	14530105	16/01/2014	212757	310987	3	0.01	0.3	103	42	99	11.9	4	0.001	0.013	3.36	4.6	0.08
LIFFEY	2 km N.W.	100	WFD Oper	14530455	19/03/2014	212757	310987	14	0.026	0.6	178	34	100	11.8	8	0.005	0.022	5.22	6.7	0.08
LIFFEY	2 km N.W.	100	WFD Oper	14530819	14/05/2014	212757	310987	22	0.012	0.3	244	29	99	11.2	25	0.006	0.01	4.07	9.1	0.02
LIFFEY	2 km N.W.	100	WFD Oper	14531110	10/07/2014	212757	310987	13	0	0.7	163	37	98	9.5	12	0.004	0.025	6.54	15.2	0.02
LIFFEY	2 km N.W.	100	WFD Oper	14531344	10/09/2014	212757	310987	18	0.012	0.9	197	35	99	10.7	11	0.006	0.025	5.4	10.3	0.034
LIFFEY	2 km N.W.	100	WFD Oper	14531659	19/11/2014	212757	310987	9	0.021	0.6	275	28	99	11.3	9	0.011	0.017	3.61	8.2	0.07
LIFFEY	2 km N.W.	100	WFD Oper	15530127	21/01/2015	212757	310987	5	0.025	0.6	166	29	100	13	7	0.005	0.016	4.45	2.6	0.15
LIFFEY	2 km N.W.	100	WFD Oper	15530384	12/03/2015	212757	310987	9	0.029	0.7	138	35	101	12.5	12	0.004	0.012	6.37	4.8	0.1
LIFFEY	2 km N.W.	100	WFD Oper	15530676	26/05/2015	212757	310987	12	0.011	0.9	228	27	101	11.1	8	0.005	0.019	5.28	10.1	0.09
LIFFEY	2 km N.W.	100	WFD Oper	15530896	09/07/2015	212757	310987	5	0.035	1.4	304	33	101	11.1	9	0.009	0.025	3.86	10.4	0.07
LIFFEY	2 km N.W.	100	WFD Oper	15531181	17/09/2015	212757	310987	5	0.009	0.8	290	28	100	10.7	7	0.009	0.022	5.41	9.8	0.071
LIFFEY	2 km N.W.	100	WFD Oper	15531439	29/10/2015	212757	310987	3	0.015	0.9	232	35	99	10.8	5	0.005	0.008	4.32	9.2	0.05
							Avg		**0.0157**	**0.8**	**204**	**33**	**100**	**11**	**9**	**0.006**	**0.018**	**4.69**	**8.4056**	**0.07**

Flow Duration Curve (Flow in m3/sec)



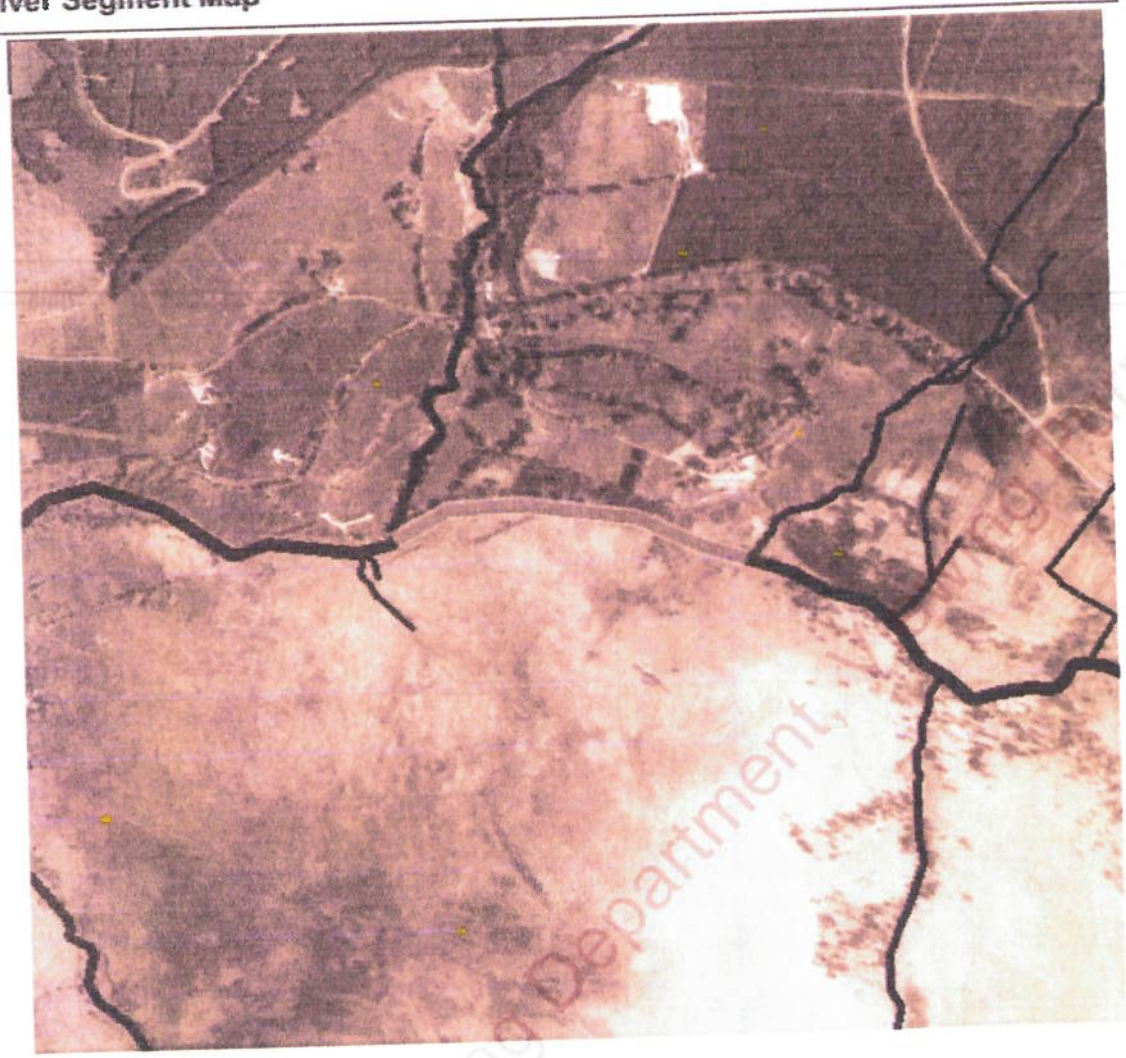
%ile	flow(m3/sec)	upper 95% confidence limit m3/sec	lower 95% confidence limit m3/sec
5	5.041	6.594	3.854
10	3.448	4.344	2.736
20	2.165	2.676	1.751
30	1.504	1.874	1.207
40	1.087	1.367	0.865
50	0.513	0.643	0.41
60	0.364	0.463	0.286
70	0.254	0.332	0.195
80	0.214	0.286	0.16
90	0.141	0.199	0.1
95	0.102	0.154	0.068

Disclaimer

The source hydrometric data used to estimate the flow duration curve ordinates for ungauged catchments was obtained from (1) water level data and (2) the rating curve(s) generated for each hydrometric station. The Environmental

River Name	Liffey(09_1181)
XY Location	308103,214012 (ING)

River Segment Map



Disclaimer

The source hydrometric data used to estimate the flow duration curve ordinates for ungauged catchments was obtained from (1) water level data and (2) the rating curve(s) generated for each hydrometric station. The Environmental

River Name	Liffey(09_1181)
XY Location	308103,214012 (ING)

Nested Catchment Map

Disclaimer

The source hydrometric data used to estimate the flow duration curve ordinates for ungauged catchments was obtained from (1) water level data and (2) the rating curve(s) generated for each hydrometric station. The Environmental

PLANNING & DEVELOPMENT ACT 2000 - 2015

Reference Number in Register: 17/352

SCHEDULE

Pursuant to the Planning & Development Acts 2000-2006, permission is hereby granted, having regard to the existing tourism infrastructure on site and the planning history it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, would not be prejudicial to public health, and would be in accordance with the proper planning and sustainable development of the area.

1. This permission refers to the development as described in the documents lodged, as revised by the documentation submitted on 11 – 10 – 17 and 17-11-2017, save as the conditions hereunder require.

   REASON: For clarification.

2. **Before development commences**, the developer shall pay the sum of €7,605 (seven thousand, six hundred and five euro) to the Planning Authority as a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

   The contribution sought is in accordance with Wicklow County Council's Development Contribution Scheme for the area in which the site is located and Section 48(1) of the Planning and Development Act 2000.

   Where the contribution remains unpaid the monies payable shall be updated in accordance with the Wholesale Price Index as published by the Central Statistics Office on the 1st January of each year following the date of the Final Grant.

   REASON: The public infrastructure and facilities included in the Development Contribution Scheme will facilitate the development and it is considered reasonable that the developer should contribute towards the cost thereof

3. (a) **Within 6 months of the final grant** the wastewater treatment plant shall be upgraded and additional polishing filter provided, which shall be appropriately designed in accordance with the details submitted and the requirements of the Discharge License. Within 7 months of the final grant, a certificate from a Chartered Engineer, or Hydrogeologist, (with professional indemnity insurance) stating that the effluent disposal system has been

installed to this requirement, shall be submitted to the Planning Authority including as constructed drawings, site layout map and photographic evidence of installation.

(b) **Within 3 months of the upgrade of the wastewater treatment plant and polishing filter** service contracts of 5 years duration should be entered into with competent firms for the preventative maintenance of the wastewater treatment plant and polishing filter, and for the monitoring of effluent from the wastewater treatment plant. The frequency and details of maintenance visits for effluent monitoring shall be submitted to and agreed in writing with the Planning Authority.

REASON: To ensure the provision of an adequate sewage disposal system in the interests of public health.

4. **Within 6 months of the final grant** a grease Trap/ Oil Interceptor shall be installed on the kitchen wastewater line from the marquee kitchen in accordance with IS EN 1825 Part 1 and Part 2. Full details of the type to be installed shall be submitted for written approval of the Planning Authority prior to installation. A competent professional with indemnity insurance shall certify the installation of the grease Trap/ Oil Interceptor in accordance with the manufacturers instruction. The certificate together with supporting documentation including photographic evidence shall be submitted for the written approval of the Planning Authority.

The developer shall keep records of excess oil removal and disposal of by an authorised contractor. The Planning Authority may inspect the records on file upon request or request the submission of records.

REASON: To prevent pollution, in the interest of public health and environmental protection and proper planning and sustainable development.

5. (a) After installation and commissioning of the upgraded waste water treatment system and soil polishing filter the boreholes installed to meet the requirements of condition No. 5 of planning permission 04/1945 should be sampled and tested initially every quarter to obtain baseline data. Parameters to be tested shall be agreed with the Environment Section of Wicklow County Council. The frequency of sampling testing can be reduced to 6 monthly intervals after two years subject to satisfactory test results being obtained. Copies of results shall be forwarded to The Planning Authority. Where results are unsatisfactory remedial measures should be proposed and works carried out at the expense of the developer under the supervision and subject to the agreement of the Environment Section of Wicklow County Council.

(b) The River Liffey shall be sampled and analysed at points upstream and downstream of the upgraded percolation areas. Sampling and testing shall take place initially every quarter to obtain baseline data and the results

submitted to the Planning Authority. The frequency of sampling can be reduced to yearly intervals after two years subject to satisfactory results being obtained. Where results are unsatisfactory remedial measures should be proposed and works carried out at the expense of the developer under the supervision and subject to the agreement of the Environment Section of Wicklow County Council.

REASON: In the interests of public health.

6. All surface water run-off from roofs, entrances, driveways, parking areas etc. shall be collected and disposed of within the site to soakpits, drains or adjacent watercourses. In particular, no such surface water run-off shall be allowed to flow onto the public roadway or to discharge to the effluent disposal system.

REASON: In the interests of traffic safety and residential amenity.

7. The applicant is required to provide staff w/c's facilities which are separate from the patrons facilities. Within 6 months of the final grant the applicant shall submit details identifying the location of staff facilities on site for clarification purposes and for the agreement of the Planning Authority.

REASON: In the interests of public health.

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