

An
Coimisiún
Pleanála

Direction
CD-021121-25
ABP-320928-24

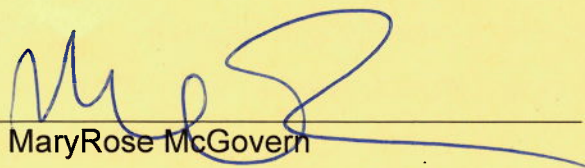
The submissions on this file and the Inspector's report were considered at meetings held on 06/08/2025 and 30/10/2025.

The Commission decided to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Date: 03/11/2025


MaryRose McGovern

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to Table 6.2 of the Environmental Protection Agency's 2021 Code of Practice for Domestic Waste Water Treatment Systems (DWWTS), which sets out certain requirements for DWWTS, including certain minimum separation distances, the Commission was not satisfied on the basis of the information submitted by the applicant, that the development proposed to be retained, is fully compliant with requirements of the said Code of Practice. In the absence of details to confirm that the DWWTS proposed to be retained, is fully compliant with the Code of Practice, the Commission was not satisfied that the proposed development, and the development proposed to be retained, would not be prejudicial to public health or to

the environment. The proposed development, and the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission noted the observation of the Inspector that a site suitability assessment was not submitted with the application. The Commission also noted that in response to a request to the applicant for detailed drawings and particulars of the relocated septic tank and percolation area demonstrating compliance with the Environmental Protection Agency's 2021 Code of Practice for Domestic Waste Water Treatment Systems, including the required minimum separation distances set out at Table 6.2 of the Code, the applicant was unable to confirm compliance with the requirements of the Code. The Commission did not therefore share the opinion of the Inspector that having regard to the relatively limited size of the site and the limited separation distance between the permitted location of the DWWTS and the location of the DWWTS proposed to be retained, it was appropriate to conclude that the retention of the DWWTS would not result in a potential risk of pollution to the water well supply or that it would not have a negative impact on water supply for existing properties in the locality.