



An
Bord
Pleanála

Board Order
ABP-310967-21

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/469

Appeal by Rosie Dobbin and Tommy Hallinans of Kilbgobnet, Dungarvan, County Waterford against the decision made on the 13th day of July, 2021 by Waterford City and County Council to grant subject to conditions a permission to Liam and Ailish Hansbury of Inchildrisia, Kilgobnet, Dungarvan, County Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Decommission existing septic tank system and install a new proprietary wastewater treatment unit and treatment system to serve existing dwelling at Inchildrisla, Kilgobnet, Dungarvan, County Waterford.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the provisions of the Waterford County Development Plan 2011 - 2017 (as extended) including Table 10.3 'Minimum Standards for Individual Houses in Rural Areas', the Environmental Protection Agency 'Code of Practice Waste Water Treatment (Population Equivalent ≤ 10)' 2021, the nature, design, and location of the proposed development and the type of development in the surrounding vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition. Where such condition requires details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 21st day of May, 2021, and in accordance with the requirements of the document entitled 'Code of Practice Waste Water Treatment (Population Equivalent \leq 10)' – Environmental Protection Agency, 2021. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.
- (b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.

- (c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.
- (d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.
- (e) The developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *27th* day of *Jan.* 2022

