



An  
Coimisiún  
Pleanála

**Commission Order  
PL-500058-WX**

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**Planning and Development Act 2000, as amended**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 2025/0942**

**Appeal** by Maria Purcell against the decision made on the 19<sup>th</sup> day of September, 2025 by Wexford County Council to grant subject to conditions a permission to Marie Boyce in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Decommissioning of existing septic tank and the installation of a new sewerage system and to relocate existing bored well with associated works, all at Ballyhoge, Ballyhoge, County Wexford.

## **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.**

## Reasons and Considerations

Having regard to the provisions of Section 8.2.5 (Private Boreholes) and Section 8.3.1 (Private On-Site Wastewater Treatment Systems) within Volume 2 of the Wexford County Development Plan 2022-2028, the location of the site removed from any of the Natura 2000 sites with no identifiable hydrological or ecological connectivity to any European Site, and having regard to the established domestic use on this constrained site and the proposed development, which seeks to upgrade the existing effluent treatment facilities within the site, in accordance with the guiding principles and standards of the 2021 Environmental Protection Agency Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ), and to decommission, remove and replace the existing outdated septic tank system on site, with no proposed increase in potential occupancy within the dwelling, and having regard to Section 1.3 of the 2021 Environmental Protection Agency Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ), and the overall proposed development which would represent an improvement of environmental standards for the receiving environment, from the existing on site domestic wastewater treatment arrangements, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would protect human health and the environment. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed 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 conditions. Where such conditions require 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) The proposed effluent treatment and disposal system shall be located, constructed, and maintained in accordance with the details received by the planning authority on the 30<sup>th</sup> day of July, 2025 and in accordance with the requirements of the document entitled: Code of Practice - Wastewater Treatment and Disposal Systems Serving Rural Dwellings (P.E.≤ 10) – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the commissioning of the entirety of the proposed Domestic Waste Water Treatment System (DWWTS), the developer shall submit a report from a suitably qualified person with professional indemnity insurance, certifying that:

- (i) the proprietary effluent treatment system, sand polishing filter and gravel distribution area have been constructed, commissioned and installed in accordance with the approved details,
  - (ii) the drains along the perimeter of the percolation area have been constructed and commissioned in accordance with the details received by the planning authority on the 30<sup>th</sup> day of July, 2025 and are functioning so as to ensure that the sand filter and gravel distribution areas are not being impacted with surface water and are working satisfactorily, and
  - (iii) the Domestic Waste Water Treatment System is working in a satisfactory manner and is in accordance with the standards set out in the 2021 Environmental Protection Agency Code of Practice for Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ ).
- (c) Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a plan for the decommissioning (within a period of six months of the commissioning of the proposed Domestic Waste Water Treatment System) of the existing septic tank and percolation area, including all appropriate backfilling and the removal of contaminated soil to a licensed operator.

**Reason:** In the interest of public health and to prevent water pollution.

3. The existing bored well on site shall be de-commissioned and capped to ensure that groundwater is protected. A report, including photographic evidence from a suitably qualified person with professional indemnity insurance certifying that the bored well has been properly de-commissioned and capped, shall be submitted to the planning authority within one month of the commissioning of the new bored well on site.

**Reason:** In the interest of public health.



**MaryRose McGovern**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this *16<sup>th</sup>* day of *February* 2026.