



An
Bord
Pleanála

Inspector's Report

ABP-315639-23

Development

Demolition of front porch and rear extension, construction of two storey rear extension, alterations to elevations, new waste water treatment system, percolation area and ancillary site works.

Location

Both Chuanna Thiar, An Spidéal, Co. na Gaillimhe

Planning Authority

Galway County Council

Planning Authority Reg. Ref.

22975

Applicant

Johnny & Geraldine Murphy

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant

Johnny & Geraldine Murphy

Observer(s)

None

Date of Site Inspection

5th April 2023

Inspector

Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.32 ha and is located on the southern side of the R336 at Both Chuanna Thiar (Bohoona East), west of An Spidéal (Spiddal), Co. Galway. The appeal site is located in a rural area outside of a settlement.
- 1.2. The appeal site accommodates a detached, hipped roof, 3 bedroom bungalow (stated floor area c. 98 sqm) with a rear annex. There is a steel shed structure to the rear/south of the dwelling¹.
- 1.3. A drainage ditch/watercourse runs along the eastern boundary of the appeal site. The dwellings in the vicinity of the appeal site are predominantly detached bungalows. The appeal site is located at a lower level relative to the R336 and the topography of the appeal site continues to fall towards the coast.

2.0 Proposed Development

- 2.1. The proposed development comprises;
 - Demolition of a front porch and rear extension (stated floor area of demolition works c. 16 sqm).
 - Construction of a contemporary style, two storey extension to rear/south of dwelling² with mono-pitch roof and two storey link element connecting main/existing dwelling from proposed extension.
 - Ridge height of proposed extension c. 6 metres.
 - Material finishes to proposed extension comprises sand cement render and timber cladding³.

¹ The 'Existing Site Layout' drawing submitted with the planning application depicts 2 no. sheds to the rear/south of the dwelling however based on my site inspection there is 1 no. shed located to the rear of the dwelling. Some of the images in the Visual Impact Assessment submitted at FI stage appear to show a structure which is no longer on the site.

² The 'Proposed Site Layout' drawing depicts the existing dwelling with a 'proposed dwelling' joined to the rear. Following a request for Further Information seeking clarity on this issue the applicant submitted a revised site layout drawing omitting reference to a 'proposed dwelling'.

³ Natural stone was proposed to part of the rear/south elevation at Further Information Stage.

- Stated floor area of proposed extension c. 145 sqm. Proposal results in a 6 bedroom dwelling (i.e. an increase of 3 no. bedrooms).
- New waste water treatment system (i.e. secondary treatment followed by tertiary treatment).
- Decommissioning of existing septic tank⁴.
- Alterations to existing dwelling including new windows on front/north elevation, side/east elevation and rear/south elevation, blocking up of window on south elevation and internal alterations.

3.0 Planning Authority Decision

3.1. Further Information

Prior to the decision of the Planning Authority to REFUSE permission for the proposed development, the Planning Authority requested Further Information.

3.1.1. Further Information was requested as follows:

Item 1 - revise rear extension to single storey, reduce massing, and indicate material finishes.

Item 2 – submit visual impact assessment (VIA) of proposal.

Item 3 – (i) submit longitudinal sections through the site, including depth of unsaturated subsoil beneath polishing filter, and (ii) submit details of existing treatment systems and percolation areas in vicinity.

Item 4 – submit details of sightlines at entrance.

Item 5 – confirm any existing right of way.

Item 6 – submit letter of consent in respect of use of access lane (if necessary).

Item 7 – (a) confirm which elements of the house are being retained/differentiate between works to be retained and works proposed; (b) demonstrate through the submission of a report from a suitably qualified person that the proposal can be

⁴ The development description contained in the public notices do not refer to the decommissioning of the septic tank on the site. This is referred to in the applicants' Site Characterisation Report.

carried out without compromising the integrity of the existing structure; and (c) confirm measures to ensure against the collapse of the existing dwelling.

Item 8 – demonstrate that required separation distances will be met in respect of septic tanks and percolation areas.

Item 9 – submit details of boundary treatment and landscaping.

Item 10 – re-open trial holes to facilitate their inspection.

Item 11 - confirm location of soakaways.

Item 12 – confirm planning history of existing dwelling.

Item 13 – clarify reference on Site Layout Plan to ‘proposed dwelling’.

3.1.2. Further Information submitted on 08/12/2022:

Re. Item 1 – the proposal is split level and takes account of the contours of the site. The roof of the extension is below the main dwelling, and the extension is subordinate relative to the main dwelling. The proposal does not result in any adverse impacts on the amenity of adjoining property. The footprint of the proposal mirrors the main dwelling and is one room deep. The link element address the issue of structural loading on the existing dwelling. External finishes are indicated as plaster to match the existing dwelling and stone.

Re. Item 2 – a visual impact assessment (VIA) has been submitted taken from 4 no. vantage points (see *Drawing no.’s 3099 PS GA 18-21* incl). The VIA indicates no adverse impacts.

Re. Item 3 – longitudinal sections submitted as requested (see *Drawing no. 3099 PS GA 03*). Details submitted indicate existing treatment systems and percolation areas in vicinity, which range from between 45 metres to 120 metres from the proposed system.

Re. Item 4 – sightlines at entrance indicated (see *Drawing DWG Ref 3099 PS GA 05*).

Re. Item 5 – confirmation that no right of way exists at entrance or the northern boundary. Folio details submitted.

Re. Item 6 – letter of consent is not applicable/required.

Re. Item 7 – the existing dwelling is not derelict, Policy Objective RH 7 therefore does not apply. Local Property Tax details submitted in support of this. A Structural Report, method statement and structural drawings have been submitted as requested.

Re. Item 8 – *Drawing no. 3099 PS GA 04* indicates separation distances to treatment systems in the vicinity.

Re. Item 9 – details of boundary treatment and landscaping submitted.

Re. Item 10 – trial holes have been re-opened.

Re. Item 11 – details of proposed of soakaways indicated on *Drawing no. 3099 PS GA 06*.

Re. Item 12 – property was constructed pre-1963.

Re. Item 13 – revised site layout drawing submitted (see *Drawing no, 3099 PS GA 07*) indicating that the proposal entails an extension to a dwelling/reference to proposed dwelling omitted.

3.2. **Decision**

The Planning Authority issued a Notification of Decision to REFUSE Permission on the 11th January 2023 for 1 no. reason which can be summarised as follows;

1. The proposed development would result in a built form that would not fit appropriately or integrate effectively into this rural location, in particular noting its location within a Special Landscape Sensitivity Class 3 and location off a designated Scenic Route, and would contravene materially Policy Objectives LCM 1, LCM 2, PVSR 1 and DM Standards 4 contained in the Galway County Development Plan, 2022-2028.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

The first report of the Planning Officer notes the following;

- The principle of the proposal is acceptable.

- The report generally reflects the Further Information requested.
- Part of the site is located within PFRA Pluvial 100 year zone.

The second report of the Planning Officer notes the following;

- The concerns of the Planning Authority remain in respect of the design of the proposed extension. The visual impact assessment indicates that the proposal could negatively impact the receiving landscape.
- The applicants appears to have altered the boundary of the site, which requires a new planning application.
- Sightlines appear to be impaired by roadside boundaries, however the access is existing.
- Land Registry information indicates that the site is owned by 4 no. individuals and not by the applicants. No letter of consent has been submitted with the planning application. The issue of ownership therefore remains outstanding.
- The structural report and details of remedial works are considered acceptable.
- Separation distances to neighbouring treatment systems meet relevant requirements.
- Landscaping details are acceptable.
- Trial holes have been re-opened.
- The applicant has confirmed that the house is pre-1963.
- Contact details and the qualifications of the person who carried out the report in relation to soakaways have not been provided.
- The discrepancy in relation to reference to a 'proposed dwelling' on the site layout drawing has been clarified.

The report of the Planning Officer recommends a refusal of permission consistent with the Notification of Decision which issued.

3.3.2. Other Technical Reports

None received.

3.4. **Prescribed Bodies**

None received.

3.5. **Third Party Observations**

1 no. observation was received by the Planning Authority. The report of the Planning Officer summarises the issues raised in the third party observation as follows;

- Applicants have no link to area and are not Irish speakers. Proposal is for a holiday home.
- The proposal is has no road frontage.
- Access is affected by a right of way.
- Traffic impact.
- Visual impact.
- Potential for water pollution, habitat damage and environmental damage.
- Works have commenced without permission.

4.0 **Planning History**

No relevant/recent planning history.

5.0 **Policy Context**

5.1. **National Policy**

- 5.1.1. Code of Practice Domestic Wastewater Treatment Systems (p.e. ≤ 10) 2021 - sets out guidance on the design, operation and maintenance of on-site wastewater treatment systems for single houses.

5.2. **Development Plan**

- 5.2.1. The relevant Development Plan is the Galway County Development Plan 2022-2028. The appeal site is not subject to any land-use zoning. The appeal site is located within

the Gaeltacht. The appeal site is located within the Galway County Transportation and Planning Study Area (GCTPS), within Rural Housing Zone 5.

5.2.2. The provisions of the Galway County Development Plan 2022 – 2028 relevant to this assessment are as follows:

- Objective LCM 1: Preservation of Landscape Character
- Objective LCM 2: Landscape Sensitivity Classification
- Objective LCM 3: Landscape Sensitivity Ratings
- Objective PVSR 1: Protected Views and Scenic Routes
- DM Standard 4: House Extensions (Urban & Rural)
- DM Standard 38: Effluent Treatment Plants
- DM Standard 46: Compliance with Landscape Sensitivity Designations

5.2.3. In terms of Landscape Character Type, the appeal site is located within the 'Coastal Landscape' (see Map 1, Appendix 4 'Landscape Character Assessment' of CDP). This landscape type is described as being centred on settlements, and as being highly sensitive to change in appearance and character by new development of scale. Regarding landscape sensitivity, the appeal site is located within Class 3 'Special' (see Map 6, Appendix 4 of CDP), which is noted as being '*highly sensitive to change*'.

5.2.4. The appeal site is not affected by any protected views (see Map 08, Appendix 4). The R336 is indicated as part of the Galway Bay Scenic Route (see Map 09, Appendix 4). The first section of this route, which adjoins the appeal site, is described as being '*punctuated by a near-continuous conurbation of smaller settlements, many with a denser older cores, some of which are now urbanised*'.

5.3. **Natural Heritage Designations**

- Connemara Bog Complex pNHA (Site Code: 002034) – c. 1.1 km north.
- Connemara Bog Complex SAC (Site Code: 002034) – c. 1.1 km north.
- Connemara Bog Complex SPA (Site Code: 004181) – c. 2.7 km north-west.

5.4. EIA Screening

The proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended) and therefore is not subject to EIA requirements.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first-party appeal against the decision to refuse permission. The grounds for appeal may be summarised as follows;

- The concerns of the Planning Authority in relation to the design of the proposal have been addressed in the applicants' response to the Planning Authorities request for Further Information.
- The extension has been designed to sit to the rear of, and below the ridge of the existing dwelling. The proposed extension will be difficult to see from the properties to the east and west.
- The proposed extension has a subordinate relationship with the main dwelling and mirrors the footprint of the main dwelling.
- The proposal accords with Policy Objective RH9, DM Standard 4, and takes account of LCM 1 and LCM2 of the Galway County Development Plan 2022-2028.
- There is no negative visual impact from the proposal, or negative impacts on adjoining property in terms of overshadowing or overlooking.
- The proposal takes account of the characteristics of the site.

6.2. Planning Authority Response

None received.

6.3. Observations

None received.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Refusal Reason 1
- Waste Water
- Other Issues
- Appropriate Assessment

7.2. Refusal Reason 1

7.2.1. The Planning Authority refused permission for the proposed development on the basis that it would fail to integrate with the rural area and would interfere with the character of the landscape.

7.2.2. In terms of landscape character, the appeal site is located within a Coastal Landscape and has a landscape sensitivity rating of 3 (i.e. 'Special' - the second highest). Coastal landscapes are described as being highly sensitive to change in appearance and character by new development of scale⁵. In my opinion, the proposed development could not reasonably be considered to be a development 'of scale' in the context of the wider receiving landscape. In the context of the limitation of landscape sensitivity mapping, the Development Plan notes that '*individual projects in any landscape area, notwithstanding its dominant sensitivity rating, may have greater or lesser impacts on the visual quality and character of the landscape depending on the details of the project design and the specific characteristics of the site and its context*'.

7.2.3. The proposed extension will be located in excess of 100 metres south of the R336 and due to the topography of the area it is likely that some views of the proposed extension will be possible from the R336. However the landscape in the area is developed, with one-off houses a prevalent feature in the vicinity of the appeal site. The proposed

⁵ My emphasis.

extension does not exceed the ridge of the main dwelling and is positioned to the rear of the existing dwelling. I also note that the massing of the proposed extension as depicted on *Drawing no. 3099 PS GA 07* (side elevations) is overstated on the drawings as a result of the link element, whereas in reality the extension is of a similar footprint as the main dwelling. I further note that the applicants propose landscaping along the boundaries of the site which will assist with the screening of the proposal within the wider landscape. Having regard to the forging I am satisfied that the proposal would not be incongruous with the pattern of development in the area.

7.2.4. The appeal site is also adjacent to a Galway Bay Scenic Route. This route is described in Appendix 4 of the Galway County Development Plan 2022-2028 as being *'punctuated by a near-continuous conurbation of smaller settlements, many with a denser older cores, some of which are now urbanised'*. It is therefore clear that the character of Galway Bay Scenic Route includes areas which are developed and as such I do not consider that the proposal would have a detrimental impact on this protected route. I am satisfied that the proposed development would accord with Objective PVSR 1 (Protected Views and Scenic Routes) of the Galway County Development Plan 2022-2028 which requires that protected views and scenic routes are preserved from development which could have a negative effect on them.

7.2.5. The Planning Authority considered that if permitted the proposal would contravene materially Policy Objectives LCM1, LCM2, PVSR1 and DM Standard 4 of the Galway County Development Plan 2022-2028, which require that in assessing proposals for development consideration is given to the landscape character of the area (LCM1); the sensitivity classification of the receiving landscape (LCM2); perseveration of protected views and scenic routes (PVSR1); and, the requirement that extensions are subordinate to the dwelling, generally reflect the design of the dwelling, do not give rise to adverse impacts on the amenity of adjacent property (DM Standard 4). These policies are not, in my view, sufficiently specific so as to justify the use of the term "materially contravene" in terms of normal planning practice and I submit to the Board that it should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act, 2000, as amended.

7.3. Waste Water

- 7.3.1. The applicants are proposing to install a new waste water treatment system. The existing dwelling is served by a septic tank which is to be decommissioned. The Site Characterisation Report submitted with the application identifies that the subject site is located in an area with a 'Poor Aquifer' (Locally Important Aquifer) where the bedrock vulnerability is 'Extreme'. A ground protection response to R2(1) is noted. Accordingly, I note the suitability of the site for a treatment system subject to normal good practice⁶. The applicants' Site Characterisation Report identifies that there is no Groundwater Protection Scheme in the area.
- 7.3.2. The trial hole depth referenced in the Site Characterisation Report was 1.45 metres. Bedrock was encountered in the trial hole at a depth of 1.45 metre below ground level (bgl). The water table was encountered in the trial hole at a depth of 1.0 metres (bgl). The soil conditions found in the trial hole are described as comprising 'light black peaty clay'. Percolation test holes were dug and pre-soaked. A T value/sub-surface value of 22.42 and a P value/surface value of 17.58 were recorded⁷. Based on the EPA CoP 2021 (Table 6.4) the site is suitable for a tertiary treatment system and infiltration area. The trial hole was not open at the time of my site inspection.
- 7.3.3. The Site Characterisation Report submitted with the application concludes that the site is suitable for treatment of waste water. I am satisfied that the proposal complies with the required separation distances set out in Table 6.2 of the CoP 2021. It is proposed to install a secondary wastewater treatment system followed by a tertiary treatment system and a 52.5 sqm infiltration area. The Site Characterisation Report notes that a tertiary system is proposed on the basis of the hydraulic connectivity to a watercourse⁸ and the lowland profile of the site. The longitudinal section of the site/treatment system

⁶ Where domestic water supplies are located nearby particular attention should be given to the depth of subsoil over bedrock such that the minimum depths in Chapter 6 are met and the likelihood of microbial pollution is minimised.

⁷ The report of the Planning Officer refers to a 'T level of 33' and 'P-test results of 41.33'. These appear to be typographical errors.

⁸ Section 3.1 of the Site Characterisation Report states that there are no watercourses/streams on the site. Based on my site inspection and the information contained at Section 4.0 of the Site Characterisation Report this appears to be a typographical error.

indicates 0.9 metres of unsaturated soil beneath the distribution bed. I note that this accords with Table 6.3 'Minimum unsaturated soil and/or subsoil depth requirements' of the EPA CoP 2021.

- 7.3.4. The Site Characterisation Form refers to the proposal as being the redevelopment of an existing house and refers to the number of bedrooms within the house as 5 no. The maximum number of residents in the house is stated as being 7 no. From reviewing the floor plans submitted with the planning application/appeal I note that the proposal entails 6 no. bedrooms. Table 3.2 of the EPA CoP 2021 'Calculation of design capacity based on size of dwelling served' provides that a house with 6 no. bedrooms has a PE of 8. I note however that Section 6 of the Site Characterisation Report states that the proposed system has a design PE of 8 and on this basis I am satisfied that the system proposed is adequately sized to cater for the proposal.
- 7.3.5. During my site inspection I observed an abundance of rushes on the appeal site, which are indicative of poorly drained soils/poor permeability, and ground conditions were wet underfoot. I also note a drainage ditch/stream along the eastern boundary of the appeal site. Additionally, I note that the Appropriate Assessment Screening Report submitted by the applicants refers to marsh type habitat in the vicinity of the site. The EPA CoP⁹ 2021 notes that a high density of streams or ditches tends to suggest either a shallow water table or that there is low-permeability subsoil, allowing effluent to enter ground water too rapidly. The trial hole results verify this to be the case (i.e. elevated water table) and I observed water in the ditch/watercourse at a level of c. 1 metre bgl, consistent with stated depth of the water table noted in the Site Characterisation Report. Regarding the suitability of the appeal site to cater for the treatment of effluent, noting the observed site conditions, which are indicative of poorly drained soils/poor permeability, and the information contained in the Site Characterisation Form, I have concerns in relation to the suitability of the site to cater for an on-site waste water treatment system. That being said, Paragraph 1.3 of the EPA CoP 2021 provides that 'if existing DWWTSs are being upgraded, variances to the requirements set out within this CoP may be considered by the local authority where the authority is satisfied that the proposed upgrade will protect human health and the environment'. Paragraph 2.2.

⁹ See Paragraph 5.4.1. Visual Assessment.

of the EPA CoP 2021 also provides that *'if retrofitting existing systems that do not comply with this CoP, where the site is unsuitable, the proposed upgrade must provide improved treatment and reduced environmental impact'*. The proposal entails a tertiary treatment system which in my opinion would result in an improvement in the level of treatment of effluent on the site relative to the existing situation. On this basis I consider the proposed to be acceptable.

- 7.3.6. As the proposed development comprises the upgrading of the existing treatment system/septic tank on the site, should the Board be minded to grant permission for the proposed development I recommend that a condition be attached in relation to the decommissioning of the existing treatment system/septic tank.

7.4. **Other Issues**

- 7.4.1. Impact on Residential Amenity - having regard to the scale, design and relationship of the proposed extension to adjoining property, I am satisfied that the proposed development would not result in any significant negative impacts on the residential amenity of property in the vicinity in terms of overlooking, overshadowing or overbearance.
- 7.4.2. Flooding – the report of the Planning Officer refers to the appeal site being located within PFRA Pluvial 100 year zone. I have reviewed the Strategic Flood Risk Assessment prepared as part of the Galway County Development Plan 2022 – 2028, flood information available on the Galway County Council's GIS system and floodinfo.ie and note that the appeal site is not identified as being within an area at risk of flooding.
- 7.4.3. Title – the title/ownership of the appeal site was raised by the Planning Authority in the context of the registered owners of the appeal site stated on the relevant Folio documentation differing to the applicants of the planning application. I note that the planning application form refers to the applicants/appellants as being the registered owners of the site. The ownership of the site is not contested by any third party. I note that when property is being transferred between parties it is common to have a lag between the acquisition of the property and reference to the registered owner(s) appearing on documentation. In the absence of any contestation from a third party

regarding this matter I am satisfied that the applicants have a sufficient legal interest in the site. I also refer the Board to the provisions of s.34 (13) of the Planning and Development Act, 2000, as amended, which provides that a person shall not be entitled solely by reason of a permission under this section to carry out any development.

7.4.4. Extent of site – the access lane connecting the dwelling on the appeal site to the R336 was outside the red line boundary on the OS map and site layout plan submitted with the initial planning application, however this laneway was subsequently included within the red line on site layout drawings submitted in response to the Planning Authorities request for Further Information (i.e. *Drawing no.'s 3099 PS GA 04, 3099 PS GA 18 – 21 inclusive, 3099 PS GA 07 and 3099 PS GA 06*). The report of the Planning Officer notes this and contends that such a change would require a new planning application. Having considered this issue it is unclear whether the inclusion of the laneway within the red line boundary of the site was a typographical error or whether the extent of red line boundary was enlarged so as to include the setting back of the existing access onto the R336, as annotated on the site layout plan submitted at Further Information stage. I note however that the stated area of the site (i.e. 0.32 Ha) remains the same on the drawings submitted with the initial planning application and the Further Information. Importantly, I note that the Planning Authority did not consider the Further Information submitted by the applicants to be significant and did not require the applicants to readvertise the public notices in accordance with Article 35 of the Planning and Development Regulations, 2001, as amended. On this basis I am satisfied that the extent of the site which is the subject of this appeal is as indicated on *Drawing no.'s 3099 PS GA 04, 3099 PS GA 18 – 21 inclusive, 3099 PS GA 07 and 3099 PS GA 06* submitted as Further Information.

7.4.5. Access/visibility – the Planning Authority raised the issue of sightlines in the request for Further Information. The applicant indicated available sightlines at the access serving the property, which the Planning Authority noted were impacted on by the boundary walls of neighbouring property. As the proposed development consists of an extension to an existing property which is served by an existing vehicular access I do not consider that the issue of sightlines is required to be addressed in this appeal.

7.4.6. Development Contributions - I have reviewed the Galway County Council Development Contribution Scheme 2016 (as revised August 2019) and note that under Part 4 of the adopted Scheme house extensions are specified as being exempted from development contributions. Having regard to the absence of reference in the Scheme to the other specific elements for which permission is being sought under the current application/appeal, I do not consider that the proposed development attracts a development contribution.

7.5. **Appropriate Assessment**

7.5.1. Having regard to the nature and limited scale of the proposed development and the lack of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect either individually or in combination with other plans or projects on any European site.

8.0 **Recommendation**

8.1. Having regard to the above it is recommended that permission is granted based on the following reasons and considerations and subject to the attached conditions.

9.0 **Reasons and Considerations**

Having regard to the provisions of the Galway County Development Plan 2022-2028 and to the nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would not have a significant impact on European sites in the vicinity, and, would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars submitted to the Planning Authority on the 8th December 2022 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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p>Reason: To restrict the use of the extension in the interest of residential amenity.</p>
3.	<p>(a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the Planning Authority on the 17th August 2022, and in accordance with the requirements of the document entitled "Code of Practice – Domestic Waste Water Treatment Systems (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.</p> <p>(b) Within three months of this grant of permission, 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</p>

	<p>working in a satisfactory manner in accordance with the standards set out in the EPA document.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Prior to commencement of development, the developer shall agree in writing with the Planning Authority, details for the decommissioning/removal of existing septic tank from the site.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ian Campbell
 Planning Inspector

5th December 2023

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	315639-23		
Proposed Development Summary	Extension to house and new waste water treatment system		
Development Address	Both Chuanna Thiar, An Spidéal, Co. na Gaillimhe		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X	N/A	Conclusion No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: Ian Campbell Date: 5th December 2023