



An
Coimisiún
Pleanála

Inspector's Addendum Report

ACP-323414-25A

Development	Single storey dwelling house, entrance, septic tank, percolation area and all necessary ancillary works.
Location	Boherboy, Grange, County Waterford.
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	25/60376
Applicant(s)	Jamie Hurley
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Jamie Hurley
Observer(s)	None
Date of Site Inspection	7 th November 2025
Inspector	Phillippa Joyce

Contents

1.0 Introduction	3
2.0 Response to the Commission’s Decision.....	3
3.0 Further Submissions	4
4.0 Planning Assessment	4
5.0 Recommendation.....	6
6.0 Reason and Considerations	6

1.0 Introduction

1.1. This is an addendum report to the Inspector's report relating to ACP 323414-25 **dated the 2nd December 2025.**

1.2. On the 5th January 2026, the Commission decided to issue a notice under section 137 of the Planning and Development Act 2000, as amended (2000 Act), to the applicant and planning authority informing same that the Commission proposed to take into account the following:

'Having regard to the documentation submitted with the application which includes incorrect categorisation of groundwater vulnerability at the subject site, the incorrect selection of the groundwater protection response for the proposed development, and the non-compliance with the percolation test procedure required under the Environmental Protection Agency's Code of Practice for Domestic Waste Water Treatment Systems (2021), the Commission might not be satisfied that effluent from the proposed development can be satisfactorily treated and disposed of on-site and/or that groundwater quality might not be adversely affected. The proposed development might be prejudicial to public health, pose an unacceptable risk of environmental pollution and might, therefore, be contrary to the proper planning and sustainable development of the area.'

1.3. The Commission received the applicant's response to the notice on the 3rd February 2026. No response was received from the planning authority.

2.0 Response to the Commission's Decision

2.1. Applicant's Response

2.1.1. The applicant's response to the notice includes cover letter and a completed Site Characterisation Report (SCR), dated 1st February 2026.

2.1.2. The newly completed SCR indicates the following:

- Aquifer category for the site as Local Important.
- Groundwater vulnerability of the site as Extreme.
- Groundwater protection response for the proposed development as R2¹.

- Dates and times of the pre-soaking processes (first, second) of the three test holes are indicated.
- Subsurface percolation test value is reported as 30.14min/ 25mm.
- Surface percolation test value is reported as 26.25minnn/ 25mm.
- All minimum separation distances are stated as met.
- The site is stated as suitable for development.

2.2. Planning Authority Submission

2.2.1. No submission was received from the planning authority.

3.0 Further Submissions

3.1. The applicant's response was not circulated to any party.

4.0 Planning Assessment

4.1. Wastewater Treatment and Site Servicing Suitability

4.1.1. I note the details of the newly completed SCR, including the correct categorisation of the groundwater vulnerability of the site as Extreme and the groundwater protection response for the proposed development as R2¹.

4.1.2. However, the agent for the applicant has again failed to undertake the pre-soaking process for the percolation test holes in accordance with the requirements of the EPA's Code of Practice.

4.1.3. I note the dates and times of the steps undertaken for the percolation test holes (see 3.3(a) Subsurface Percolation Test for Subsoil of the SCR). Pre-soaking began on the 17th January at 9.30am, second pre-soaking on the 18th January at 9.00am with the main percolation test commencing on the 19th January at 9.00am. This equates to a period just under 48 hours.

4.1.4. Again, I have had regard to the EPA's Code of Practice, Appendix D: Percolation Test Procedure. Step 2 of which states '*The hole should be pre-soaked twice from 4*

to 24 hours before the start of the percolation test by carefully pouring clear water into the hole to fill it to the full height of 400 mm’.

- 4.1.5. As the pre-soaking period prior to the commencement of the percolation test notably exceeds the maximum period of 24 hours, it may not be possible to rely on the results of the percolation tests, the subsurface percolation value, and the size of the percolation area (number and length of trenches). Again, the onus is on the applicant to demonstrate the site is suitable for the proposed septic tank and percolation area.
- 4.1.6. I note that other features and metrics in the SCR indicate that the site has the necessary conditions to be able to accommodate a septic tank and percolation area. These include the site topography and slope, groundwater flow, presence of drainage ditches, absence of springs, distances to private wells, trial hole depth, absence of bedrock and water table, description of soil conditions encountered.
- 4.1.7. While I note that the Commission has already invited the applicant to address shortcomings in the previous SCR, in the interests of fairness, the Commission may consider it reasonable to invite the applicant to address the above item again.

Conclusion

- 4.1.8. In conclusion, the SCR for the proposed development has not been undertaken in accordance with the requirements of the EPA’s Code of Practice for Domestic Waste Water Treatment Systems, 2021, specifically Appendix D: Percolation Test Procedure, Step 2. As such, the applicant has failed to satisfactorily demonstrate that effluent from the development could be satisfactorily treated and disposed of on-site and that groundwater quality would not be adversely affected. In the absence of same, the proposed development would be prejudicial to public health.

4.2. Other Matters

- 4.2.1. For the Commission’s clarity, I confirm the screenings undertaken for the environmental assessments included in my original report remain valid (i.e., it is not possible to screen out the need for a WSIA based on the information in front of the Commission).

5.0 Recommendation

Following from the above assessment, I recommend that permission be REFUSED for the proposed development for the reason and considerations set out below.

6.0 Reason and Considerations

1. The applicant has failed to undertake the percolation test procedure in accordance with the requirements of the Code of Practice for Domestic Waste Water Treatment Systems, Environmental Protection Agency, 2021 (Appendix D: Percolation Test Procedure, Step 2). Accordingly, the Commission is not satisfied that effluent from the development can be satisfactorily treated and disposed of on-site and/ or that groundwater quality would not be adversely affected. The proposed development would therefore be prejudicial to public health, pose an unacceptable risk of environmental pollution and be contrary to the proper planning and sustainable development of the area.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report, in an improper or inappropriate way.

Phillippa Joyce

Senior Planning Inspector

20th February 2026