



An  
Bord  
Pleanála

# Inspector's Addendum Report

## ABP-321130-24

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<b>Development</b>	Construction of a dwelling house and all associated site works
<b>Location</b>	Redington Woods Estate, Clarenbridge, Co. Galway
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	2461008
<b>Applicant(s)</b>	Hugh & Natasha McFadden
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Joe-Ann & Cian Burke Shane Gallery Ted Curran and Margaret Curran Noel Sheridan
<b>Date of Site Inspection</b>	27 <sup>th</sup> January 2025
<b>Inspector</b>	Ian Boyle

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## 1.0 Introduction

- 1.1. This report is an addendum report to the Inspector's Report in respect of ABP-321130-24, dated 29<sup>th</sup> January 2025.
- 1.2. On 17<sup>th</sup> February 2025, the Board decided to defer the case and seek an addendum report from the Inspector. The purpose of this is to address in further detail the Applicant's request to connect to an independent wastewater treatment plant.
- 1.3. This is notwithstanding the commentary at Section 3.2 in the 'Response to Third Party Grounds of Appeal' (November 2024) that they could connect to the Common WWTP serving the adjacent estate, if the Board required this.
- 1.4. The Board did not invite any additional submissions from the parties in relation to this issue, and no further public notification was considered to be required.

## 2.0 Assessment

- 2.1. The issue is in relation to the proposed method of wastewater treatment and disposal.
- 2.2. I note that the original application to the Planning Authority (Reg. Ref. 2461008) included a proposal to provide an onsite treatment system (referred to the application form as a 'Burke wastewater system eurotank'). The Council Planner's Report provides commentary on this and states that the findings of the Applicant's Site Characterisation Assessment were reviewed as part of their assessment of the application.
- 2.3. The Planner concluded the site is suitable for an effluent treatment system of this nature (i.e., a domestic wastewater treatment system (DWWTS)). They also stated that emissions are not expected to arise from the development, that it would not result in any significant adverse effects on groundwater quality, and that wastewater generated onsite could be treated appropriately prior to discharge.
- 2.4. Condition 10 of the Planning Authority's Decision to Grant Permission is relevant as it is in relation to the design, management and installation of the DWWTS. [I note that condition was not included in the list of conditions as per my Inspector's Report, dated 29<sup>th</sup> January 2025, as it was considered a connection into the existing

communal wastewater treatment plant (WWTP) serving the area, including Redington Woods, would be preferable to an onsite system.]

- 2.5. Following on from this, the Applicant noted in their appeal response that although the Planning Authority deemed it acceptable for a septic tank to take wastewater directly from the proposed dwelling and treat it on the subject property, this would normally only be satisfactory for a one-off rural house, where sufficient space is available, and there is no risk of contamination or air pollution occurring.
- 2.6. The Applicant also noted that the provision of a DWWTS would pose a risk to the potential contamination of the estate drainage system and that this would be unacceptable given the nature of the surrounding area – an existing residential estate – and due to proximity of other houses to the appeal site. Therefore, it was proposed that a connection into the existing communal wastewater treatment plant (WWTP) would be far preferable – an approach I concur with.
- 2.7. In this regard, I note the Proposed Site Layout Plan shows the location of the proposed sewer connection point and an existing foul sewer manhole near the front of the site. I note also the application has sufficient legal interest to achieve this, and that this is corroborated in legal correspondence prepared by the Applicant’s solicitor (Catherine Murphy & Co. Solicitors) (letter dated 18<sup>th</sup> July 2024), notwithstanding third party concerns.
- 2.8. Furthermore, there is a detailed report on the file addressing the issue of wastewater capacity, which is entitled ‘Proposal for Wastewater Connection to Communal Treatment Plant’. The report is prepared by a chartered consultant engineering practice. It concludes that there is adequate capacity in the existing communal WWTP to serve a minimum of 40 houses, and that only 29 houses are either already connected or permitted. The report also confirms that the WWTP is monitored under licence (copy attached as Appendix D of the Applicant’s Response to the Board).
- 2.9. In summary, it is the Applicant’s intention to connect the proposed development to the existing communal wastewater treatment plant serving the area, and I concur that this is a preferable and acceptable method by which to address the issue of wastewater treatment and disposal.

### 3.0 Recommendation

- 3.1. I refer to the previous Inspector's Report and recommendation on this application (dated 29<sup>th</sup> January 2025). I am satisfied that all matters have been addressed fully and that no change to my recommendation is required, having regard to the Board Direction (dated 17<sup>th</sup> February 2025).
- 3.2. I am also satisfied that no additional conditions should be inserted, or any conditions omitted, as part of the Inspector's Report.
- 3.3. There is no change to my original report recommendation.

### 4.0 Reasons and Considerations

- 4.1. Having regard to the existing pattern of development in the area, the location and setting of the site within the designated rural settlement of Clarinbridge, as set out within the Galway County Development Plan 2022-2028, and to its policies and objectives and development standards, and in particular Policy Objectives CS 2, CGR 1, LCM 1 and DM Standard 8, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not adversely impact the landscape character of the area, is appropriate in terms of design, scale and layout and consistent with the established built character of the vicinity, would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 5.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 8 <sup>th</sup> August 2024, 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
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	<p>agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>The mitigation measures contained in the Bat Survey and Report received by the planning authority as part of the application shall be implemented in full.</p> <p><b>Reason:</b> In the interest of biodiversity and protecting bats.</p>
4.	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p><b>Reason:</b> In the interest of public health and to ensure adequate water/wastewater facilities.</p>
5.	<p>a) The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The landscaping plan shall include hedgerow(s) comprising fruit bearing species, such as hawthorn, dog rose, and alder trees.</p> <p>b) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of three years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>c) A tree survey of the site shall be carried out by an arborist or landscape architect and submitted to, and agreed in writing with, the planning authority prior to commencement of development. The</p>

	<p>survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.</p> <p>d) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.</p> <p><b>Reason:</b> In the interest of residential and visual amenity, protection of biodiversity, and to facilitate the identification and subsequent protection of trees to be retained on the site.</p>
6.	<p>a) The development shall connect to the communal wastewater treatment plant as per the details submitted as part of the original application to the Planning Authority. The applicant shall ensure that the communal effluent treatment and disposal system is maintained in accordance with current EPA best practice standards. Arrangements in relation to the ongoing maintenance of the system shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.</p> <p>b) Within three months of the occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that connection to the communal proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with best practice EPA standards.</p> <p><b>Reason:</b> In the interest of public health.</p>
7.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit final details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p><b>Reason:</b> To prevent flooding and in the interests of sustainable drainage.</p>

8.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Details of the ducting shall be submitted to and agreed in writing by the planning authority prior to the commencement of development. Any existing overground cables shall be relocated underground as part of the site development works.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 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><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
10.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developers or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</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.

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Ian Boyle  
Senior Planning Inspector

19<sup>th</sup> February 2025