

Comhairle Chontae Shligigh
(SLIGO COUNTY COUNCIL)

CHIEF EXECUTIVE'S ORDER

Chief Executive's Order No: P469/17

Reference Number:

PL 17/333

Subject:

Planning & Development Act 2000 (as amended)

Name of Applicant:

Gerry MacRuairc & Louis Armstrong

Name and address of Agent:

Mark Stephens Architects,
Bridge Street
Swinford
Co. Mayo

Nature of Application:

PERMISSION for development consisting of construction of extensions to an existing dwelling house and upgrading of an existing septic tank to a packaged tertiary effluent treatment unit with polishing filter and all ancillary works. This application is accompanied by a Natura Impact Statement

Location of Development:

Cully, Charlestown, Co. Sligo

Recommendation:

Submitted report from Executive Planner as endorsed by Acting Senior Executive Planner in relation to the above mentioned development.

Order:

Having considered the above application and any submissions and observations made in writing in relation to the application and having regard to the reports and recommendations relating thereto, having considered the proper planning and sustainable development of the area and having had regard to the provisions of the County Development Plan, I hereby decide to **GRANT PERMISSION** in accordance with the documents submitted and subject to the 20 condition(s) set out in the schedule attached hereto entitled 'Schedule 2 – Schedule of Conditions'. The main reasons & considerations on which the decision is based are detailed on the schedule attached hereto entitled 'Schedule 1'.

I also order that a **GRANT OF PERMISSION** be made in accordance with the said decision unless an appeal not subsequently withdrawn is lodged with An Bord Pleanála within the appropriate period for making such appeal.

Signed: 

DIRECTOR OF SERVICES

To Whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001, by Order No. No. 17/15 dated 29/06/2015.

Date: 17/10/17

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SCHEDULE 1 – REASONS AND CONSIDERATIONS

Having regard to the following:

- The provisions of the current Sligo County Development Plan 2017-2023.
- The design of the proposed development.
- The existing development in the area.
- The Natura Impact Statement submitted
- Reports from the Environment Department and Area Engineer
- EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora)

It is considered that the proposed development, subject to compliance with the following conditions, would not be injurious to the amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and would be in accordance with the proper planning and sustainable development of the area.

Having considered the Natura Impact Statement and mitigation measures, it is considered that the proposed development would not have an adverse effect on the integrity of the European site having regard to its conservation objectives.

The Planning Authority has completed an Appropriate Assessment in relation to potential impacts on Natura 2000 Sites and concluded that on the basis of the information available, the proposed development either individually or in combination with other plans or projects would not adversely affect the integrity of the River Moy SAC in view of the site's conservation objectives or that of any other Natura 2000 site.

SCHEDULE 2 – SCHEDULE OF CONDITIONS

1. The proposed development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on the 1st September 2017 save where amended by the following conditions.

Reason: In order to clarify the documents to which this permission relates

2. The proposed development shall be carried out in accordance with the methodology and associated mitigation measures submitted in the NIS received 1st September 2017.

Reason: In order to clarify the documents to which this permission relates

3. Proper provision shall be made to ensure that no surface water is diverted or allowed to flow onto the adjoining public road from the private lane.

Reason: In the interest of road safety and to prevent damage to the public road

4. Prior to the commencement of development a revised site layout plan providing for surface water gullies at existing entrance and in off-street car parking area to connect via minimum

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225mm diameter pipe to existing open drain/soakway, shall be submitted for the written agreement of the Planning Authority.

Reason: In the interest of orderly development

5. A Proprietary Effluent Treatment System, intermittent filter system (2 no. Puraflor modules) and distribution area shall be installed in accordance with the Environmental Protection Agency Code of Practice (CoP) on Wastewater Treatment and Disposal Systems serving Single Houses (p.e.<10), design details/drawings and manufacturer specifications submitted to the Planning Authority.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

6. The Proprietary Effluent Treatment System shall comply with Part H of the Building Regulations, have I.S. EN 12566-3 certification and comply with S.R. 66:2015.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

7. Clean surface water from roof areas of the development and impermeable hard surface areas on site shall not be discharged to the foul effluent drainage system. Clean surface water from roof areas of the development and impermeable hard surface areas shall be discharged to a surface water soak-pit system.

Prior to commencement of development you shall submit for the formal approval of the Planning Authority; a site layout plan to an appropriate scale confirming proposals for the collection and disposal of clean surface water run-off from roof areas of the development and impermeable hard surface areas on site.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

8. Sligo County Council shall be given at least two week's written notice prior to the installation of the onsite wastewater treatment system. This notification shall include site specific details of the competent technical professional who will supervise the installation of the onsite wastewater treatment system.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

9. All mechanical and electrical equipment associated with the proprietary effluent treatment plant and wastewater pumping apparatus shall be operated and maintained in accordance with the manufacturer's recommendations. You shall enter into a three year maintenance agreement with the manufacturer or manufacturer's agent for the annual inspection and routine maintenance of the proprietary effluent treatment system. This contract shall be renewed every three years and made available to Sligo County Council on request. Records of annual maintenance shall be retained by you for 5 years and presented to the Planning Authority on request.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

10. No fats, oils or greases shall be discharged to the effluent treatment system.

Reason: In the interest of proper waste management and sustainable development

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11. A suitable sampling chamber shall be provided on the effluent pipe prior to it discharging to the distribution area. The final effluent shall be analysed on an annual basis on the anniversary of the initial commissioning of the system. Certified monitoring results shall be retained for a minimum period of 5 years and the results shall be made available to Sligo County Council on request.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

12. The Proprietary Effluent Treatment System shall be routinely de-sludged in accordance with the manufacturer's instructions. De-sludging shall be carried out by an authorised waste disposal contractor who holds a current, valid, waste collection permit for the collection and disposal of sewage/sewage sludge. Records of annual de-sludging shall be retained by you and presented to Sligo County Council on request.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

13. A visible alarm and audible alarm shall be fitted on the Proprietary Effluent Treatment System to alert the residents of any system malfunction.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

14. A competent technical professional with professional indemnity insurance shall supervise the installation of the onsite wastewater treatment system and take site specific photographs detailing its installation before backfilling to show the system is installed correctly. On commissioning of the new tertiary wastewater treatment plant; certification shall be submitted to the planning authority from the technical professional (including certified photographs) to certify that;

- The effluent treatment system complies with the Environmental Protection Agency Code of Practice (CoP) on Wastewater Treatment and Disposal Systems serving Single Houses (p.e.≤10) and the planning conditions.
- All domestic wastewater and grey water generated on site is discharged to the proprietary effluent treatment system and discharged via the raised distribution area.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

15. The continued efficiency of the effluent treatment system shall be certified by the manufacturer or other authorised agent 10 years after the system was commissioned and the certificate shall be retained for 5 years and made available to Sligo County Council on request.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

16. The domestic wastewater drainage system and all associated connections to the proprietary effluent treatment system shall be adequately sealed to prevent groundwater and surface water infiltration into the foul effluent drainage system.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

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17. On commissioning of the new onsite wastewater treatment system the existing septic tank system on site shall be desludged and decommissioned. De-sludging shall be carried out by an authorised waste disposal contractor who holds a current, valid, waste collection permit for the collection and disposal of sewage/sewage sludge. A receipt confirming desludging, as provided by an authorised waste disposal contractor, shall be submitted to the Planning Authority on request.

Reason: In the interest of public health and to ensure the system is adequately maintained and works effectively and in order to ensure that the effluent complies with EU Regulations

18. All construction waste associated with the development shall be disposed of by a licensed/permitted waste contractor who holds a current, valid, waste collection permit for the collection and disposal of construction and demolition waste.

Reason: In the interest of proper waste management and sustainable development

19. A potable water supply shall be provided that complies with the requirements of the European Union (Drinking Water) Regulations 2014 (S.I. No. 122 of 2014).

Reason: To ensure an adequate and potable supply of water to serve the development

20. Prior to the commencement of development, the developer shall pay the sum of €79 (seventy nine Euro) to Sligo County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority, in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning & Development Act 2000 (as amended).

Town/village improvements, car-parking/roads (10%) €20

Community Facilities (30%) €59

Reason: It is a requirement of the Planning & 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

Advice note

- In terms of construction and demolition waste management and disposal of construction and demolition waste, you are advised to refer to the document titled "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" a useful aid in managing their activities in a sustainable manner. This document is available from the Department of Housing, Planning, Community and Local Government (<http://www.housing.gov.ie/environment/waste/construction-and-demolition-waste/construction-and-demolition-waste>)
- The Department of Housing, Planning, Community and Local Government has amended the Technical Guidance Document H (TGD H)- Drainage and Wastewater Disposal to reference S.R. 66:2015 and remove references to national annexes. The amendments to TGD H will become effective from 1-1-2017 and all works started after that date involving small wastewater treatment systems will have to comply with the requirements of S.R. 66:2015. This means that all wastewater treatment products have to be in compliance with S.R 66:2015 to be eligible for use in Ireland.

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