

## **WASTEWATER TREATMENT CAPACITY CONSTRAINTS IN COUNTY WESTMEATH**

### REPORT TO WESTMEATH COUNTY COUNCIL

MARCH 2008

Westmeath County Council, as the Sanitary Authority for the county, has historically been in a position to grant permission for development on the basis that wastewater treatment capacity, if not available immediately, would be in train and would probably be available by the time development had taken place.

However, the enactment of the Waste Water Discharge (Authorisation) Regulations 2007, intended to reduce the risk of pollution from waste water treatment plants, has changed fundamentally the way in which local authorities regulate development that gives rise to wastewater. The Council is now required to apply to the EPA for a licence for all waste water treatment plants with design capacities above 500 population equivalent (PE), and apply for a Certificate for all plants below 500 PE. A licence granted by the EPA under these Regulations will include conditions relating to the monitoring of discharges and discharge limits from treatment plants.

In the Planning Authority's consideration of an application for planning approval, a critical element in the assessment, is the availability of services for the proposed development. These Regulations have brought greater emphasis on the availability of waste water treatment capacity. In accordance with these Regulations, the Planning Authority, or An Bord Pleanála, must consider if the discharge of waste water from the proposed development, in conjunction with the existing discharge, and other permitted developments, would cause non-compliance with determined discharge limits. Where the Planning Authority, or the Board, forms the opinion that non-compliance of these discharge limits would result, then the application must be refused or conditioned to ensure that non-compliance will not occur.

### **Existing Constraints in Wastewater Treatment Capacity**

The attached Appendix (Appendix 1) indicates results of analysis of spare capacity of Waste Water Treatment Plants that are at or nearing capacity in County Westmeath. This Appendix indicates the design capacity of each treatment plant in terms of population equivalent (PE), the existing loading on the plant, and the plant capacity committed by the Council to development approved but not yet contributing. As can be seen from Appendix 1, there are a number of towns where the Council has permitted development exceeding the current capacity of the Waste Water Treatment Plants. It is recognised that in some cases the projected deficiencies arise from commitments rather than actual development.

### **Proposals for Upgrading of WWTPs**

The Water Services Investment Programme 2007 – 2009 is a programme for the development and improvement of water service infrastructure in the Country. This programme includes proposals for County Westmeath per Appendix 2 attached. This Wastewater Services Investment Programme (WSIP) does not include proposals to address all of the deficiencies in waste water treatment capacity.

### **Identified Waste Water Treatment Deficiencies**

Outlined below is an overview of the towns and villages in the County where it has been established that there is a difficulty with the availability of waste water treatment capacity.

- Moate – Permitted planning approvals would exceed the existing plant capacity by 1,300 PE. A Preliminary Report for upgrading the treatment plant and network is currently being considered by DEHLG but no commitment has been received to date in respect of funding an improvement scheme. The Councils consultants have been requested to bring forward proposal for interim upgrades of the treatment plant, which will be submitted to the DoEHLG for approval. Planning restrictions on development are therefore necessary pending upgrade of the plant.
- Kinnegad – Permitted planning approvals marginally exceed the existing plant capacity. There are currently no proposals for increasing this capacity. The Council propose to make application to the DoEHLG for inclusion of treatment plant upgrade in the Wastewater Services Investment Programme (WSIP). Pending delivery of this upgrade, restrictions on planning approvals for development should apply.
- Killucan - Permitted planning approvals would consume the existing plant capacity. There are currently no proposals for increasing the treatment plant capacity. Restrictions on planning approval for development should therefore apply.
- Rochfortbridge – The treatment plant in Rochfortbridge is currently being upgraded to provide additional treatment capacity scheduled for completion in April 2008. This will increase capacity from 2500 to 4000 PE. Current levels of preplanning enquiries for housing development received by the Council would consume all of this additional capacity were it to be permitted. It is desirable that some of this additional capacity, specifically 800 PE, is reserved for uses other than residential development. Restrictions on planning approval for development should therefore apply.
- Kilbeggan – Permitted planning approvals would exceed the existing plant capacity by approx. 600 PE. A Preliminary Report for upgrade of the treatment

plant is also under consideration by the DoEHLG. Until delivery of the upgrade restrictions on planning approvals for development should apply.

- Ballymore - Permitted planning approvals marginally exceed the existing plant capacity. The Council is preparing a Preliminary Report to upgrade the treatment plant for submission to the DoEHLG. Until delivery of the upgrade restrictions on planning approvals for development should apply.
- Delvin - This wastewater treatment plant has effectively no spare capacity. The DoEHLG have recently indicated that they will provide funding towards a limited upgrade of the treatment plant on condition that a substantial proportion of this upgrade to be reserved for industrial and commercial uses. Restrictions on planning approvals for development should therefore apply.

### **Interim Policy Response**

Due to identified deficiency in the level of available waste water treatment capacity in the towns and villages set out above and until such time as necessary upgrading of the treatment plants takes place, it is proposed that planning restrictions should be implemented based on a scheme of prioritisation. The level of restriction necessary will be determined by the degree of deficiency pertaining to individual waste water systems. In towns where planning restrictions are recommended priority shall be given to the following categories of development, which are not ranked in any particular order of priority:

#### A. Industrial

- Extensions to existing development
- Development of local authority serviced sites
- New industrial/employment projects

#### B. Commercial

- Town Centre retail which accords with the Retail Strategy
- Limited extensions to existing development
- Essential neighbourhood shopping

#### C. Residential

- Extensions to existing dwellings
- Emergency housing
- Local Authority/Voluntary Housing
- Housing on brownfield / infill sites

#### D. Mixed Use – Town Centre/Integrated Area Plan Areas

- Existing Commitments
- Limited extensions to existing developments
- Re-development of brownfield sites

- Development considered to be of strategic importance for the overall economic, social, cultural or community benefit of the town and county
- Implementation of strategic Local Area Plans

E. Institutional/Government Agency

- Developments which are demonstrated to meet a critical need in educational, health care, or defence-force sphere

F. Sporting/Recreational

- Essential development e.g. changing rooms

G. Change of Use

- Developments not involving significant increase in effluent or surface water loading

### **Conclusion**

On the basis of the analysis and research undertaken in connection with this report it is evident that there are wastewater treatment deficiencies in a number of towns in the county. Under the Wastewater Discharge (Authorisation) Regulations 2007 the local authority shall not permit development which would result in a discharge from a waste water treatment plant which will cause pollution. It is therefore recommended that planning restrictions based on a scheme of prioritisation as set out above should be adopted for these towns.

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