



An
Bord
Pleanála

Board Order
ABP-310787-21

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 21520

Appeal by Ann Morris of 6 Saint Bridget Terrace, Littleton, Thurles, County Tipperary against the decision made on the 10th day of June, 2021 by Tipperary County Council to grant subject to conditions a permission to Starrus Eco Holdings Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of extensions to the main building on site including all other associated site development works above and below ground. The extensions to the main building are to the northern, southern, eastern and western elevations of the existing recycling facility and measure circa 1,015.86 square metres, extensions to the biofilter that is located to the rear of the building are also sought (circa 43.23 square metres), staff welfare prefabricated structure located to the north of the site (circa 65.49 square metres), two number storage/maintenance containers (circa 26.6 square metres), toilet block (circa 5.1 square metres), biofilter condenser tank (circa 72.4 square metres) and two number firewater retention ponds (circa 713.17 square metres), all on a site of circa 3.58 hectares at an existing biological waste treatment facility at Ballybeg, Littleton, Thurles County Tipperary. The

development relates to an existing biological waste treatment facility which is operated under a waste licence (W0259-01) granted by the Environmental Protection Agency. No alteration to the balance of the development is sought by this application nor is an alteration to the permitted use sought.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Tipperary County Development Plan 2022-2028, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the retention of the development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in respect of its likely effects on the environment. The retention of the development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out in accordance with the terms and conditions of the permission granted on the 1st day of October 2008, under planning register reference number 07/511853, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting 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 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 developer 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.

Reason: 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.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *6th* day of *October*, 2023.