



Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 21/00628

Appeal by Conor Walsh on behalf of SLR Consulting Ireland of 7 Dundrum Business Park, Windy Arbour, Dublin against the decision made on the 15th day of December, 2021 by Cork County Council to grant subject to conditions a permission to BIGbin Waste Tech Limited of Unit F4, Enterprise Centre, Waterford Business Park, Cork Road, County Waterford in accordance with plans and particulars lodged with the said Council:

Proposed Development: Placement of a pay-to-use portable waste compactor for residual waste and food waste and a pay-to-use portable waste compactor for dry recyclables, at Circle K, Newtown, Bantry, County Cork.

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 location of the site within the development boundary of Bantry, and to the established commercial use of the site and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the assessment and conclusion in the Inspector's report. The Board was satisfied that, having regard to the location of the fully serviced site within the settlement boundary of Bantry, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 1st day of December 2021, 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 agreed particulars.

Reason: In the interest of clarity.

2. No development on foot of this permission shall be undertaken until such time as the developer has applied for and received confirmation from the local authority of a waste authorisation (Waste Permit/Certificate of Registration) relating to the development authorised by this permission and is compliant with any conditions that may be attached to such an authorisation.

Reason: To ensure the protection of the environment and compliance with the Waste authorisation legislation.

3. The hours of operation, including servicing and collection/removal of waste shall be limited to between 0700 hours and 2200 hours.

Reason: To protect the amenities of the area.

Eamonn Patrick Kelly

Eamonn Patrick Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *29* day of *May* 2023.